

National Railway of Silvis  
LPC# 1610700009  
Rock Island County  
SF/HRS

# CERCLA Site Reassessment

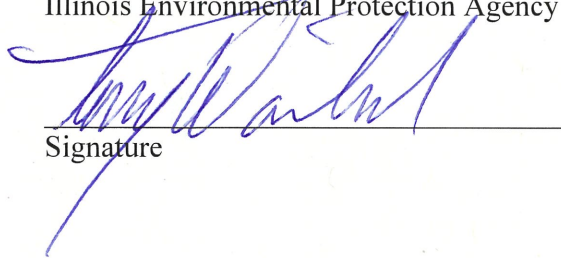


Prepared by:  
Office of Site Evaluation  
Division of Remediation Management  
Bureau of Land

## SIGNATURE PAGE

**Title:** CERCLA Site Reassessment for National Railway of Silvis

**Preparer:** **Tony Wasilewski**, Project Manager, Office of Site Evaluation,  
Illinois Environmental Protection Agency

  
\_\_\_\_\_  
Signature

9-28-22  
Date

**Approval:** **Patrick Hamblin**, NPL Coordinator, United States Environmental  
Protection Agency, Region 5

**PATRICK HAMBLIN**

Digitally signed by PATRICK  
HAMBLIN  
Date: 2022.09.28 14:44:12 -05'00'

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

*The approval signatures on this page indicate that this document has been authorized for information release to the public through appropriate channels. No other forms or signatures are required to document this information release.*

## TABLE OF CONTENTS

<b>SECTION</b>	<b>PAGE</b>
<b>1.0 Introduction</b> .....	<b>1</b>
<b>2.0 Site Description and History</b> .....	<b>2</b>
2.1 Site Description.....	2
2.2 Site History.....	4
2.3 CERCLA Investigative History.....	5
<b>3.0 Other Cleanup Authorities and Activities</b> .....	<b>7</b>
3.1 Regulatory Status.....	10
<b>4.0 Site Reassessment Field Activities</b> .....	<b>11</b>
4.1 Sampling Activities.....	11
4.1.1 Groundwater Sampling.....	11
4.2 Analytical Results.....	12
4.2.1 Soil Exposure Pathway.....	12
<b>5.0 Pathway Analysis</b> .....	<b>13</b>
5.1 Groundwater Migration Pathway.....	13
5.2 Surface Water Pathway.....	18
5.3 Soil Exposure Pathway and Subsurface Intrusion Pathway.....	19
5.3.1 Soil Exposure Pathway.....	19
5.3.2 Subsurface Intrusion Pathway.....	20
5.4 Air Pathway.....	21
<b>6.0 Summary and Conclusion</b> .....	<b>21</b>
<b>7.0 References</b> .....	<b>23</b>

## FIGURES

Figure 1.....	Site County Map
Figure 2.....	Site Boundary Map
Figure 3.....	4-Mile Radius Map
Figure 4.....	Sampling Map
Figure 5.....	Wetland Map
Figure 6.....	Buildings and Structures
Figure 7.....	Silvis Community Wells
Figure 8.....	ISGS Water Wells

## **ATTACHMENTS**

Attachment A.....Groundwater Ordinance



## **Section 1.0 Introduction**

On March 2, 2021, the Illinois Environmental Protection Agency's (Illinois EPA) Office of Site Evaluation was tasked by the United States Environmental Protection Agency (U.S. EPA) Region V to conduct a Site Reassessment (SR) with sampling at the National Railway site (ILD 984903203) in Silvis, Rock Island County, Illinois (41.515302/-90.412519).

The Site Reassessment is performed under the authority of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) commonly known as Superfund. Current U.S. EPA policy stipulates that a Site Reassessment be conducted to determine the current status of the National Railway site. The Site Reassessment with sampling will consist of the sampling of residential wells down gradient of the site to determine if further Superfund investigations are warranted. The Site Reassessment will supplement previous work and is not intended to replace previous CERCLA assessments.

The Site Reassessment is designed to evaluate recent information that will help determine if the site qualifies for possible inclusion on the National Priorities List (NPL) or should receive a No Further Remedial Action Planned (NFRAP) designation. At the conclusion of the reassessment with sampling process, Illinois EPA will recommend that the site be given a NFRAP designation, receive further Superfund investigations, or referred to another state or federal cleanup program.

The National Railway site was initially placed on the U.S. EPA's Superfund Enterprise Management System (SEMS) on July 20, 1992 in response to past industrial operations and the possibility for the public wells of Silvis, **Non-responsive, PII** ,

to be contaminated by the subject facility. A Preliminary Assessment was completed on 09/13/1993, a Site Investigation on 09/30/1996, an Expanded Site Inspection on 08/15/2001, and a Site Reassessment on 06/17/2021.

The Site Reassessment with sampling Report will describe what was found in the residential wells and illustrate how the site has changed since the last CERCLA investigation in 2001. This report will contain a summary of existing information that will include site history, current site conditions, evaluate past and present analytical data, and evaluate past remedial activities. The Site Reassessment with sampling will also support emergency response or time-critical removal activities if they are warranted.

## **Section 2.0 Site Description and History**

### **Section 2.1 Site Description**

The site is located at 300 9<sup>th</sup> Street in Silvis, Illinois in the northeast portion of Rock Island County. The currently active site encompasses a diesel locomotive maintenance and repair facility, including a rail yard that is situated on approximately 83 acres of land. The facility was originally owned and operated by Rock Island Railroad beginning in 1905. After Rock Island Railroad went bankrupt in the early 1980's, the facility was purchased by Chrome Locomotive a division of the Varlen Corporation. Chrome Locomotive performed repair and maintenance of diesel locomotives and components until the facility was sold to National Railway Equipment Company in 1990, who is the current owner as of the date of this report.

The site consists of several buildings and shops, warehouses, an office building, outside storage areas, yard and running track, parking lots, and grassy and gravel

areas. The largest building, Main Shop Building, is located within the central portion of the property and covers an area of approximately 275,000 square feet. Locomotives scheduled for maintenance and repair are stored in the rail yard located east of the Main Shop Building. The concrete foundation of a former round house located west of the Main Shop Building is used to store diesel engines. This round house was razed in the early 1950's. Other locomotive parts and components are stored outside at several areas located northeast of the Main Shop Building. The facility performs dismantling and scrapping operations south of the Sand Blasting Building. A 100,000-gallon water storage tank and a million-gallon water reservoir are located in the north central area of the Site (Figure 6).

The Site is bounded by several parcels located in a mixed area of industrial, commercial, and residential use. The northwest portion of the Site is bounded by the former John Deere Company Foundry. The northern, eastern, and southern property boundaries of the Site are bounded by several parcels from another owner. The property beyond the northern bounding parcel is owned by John Deere Company, including a permitted foundry landfill bordering the northern property boundary of the Site. This parcel is bounded to the north by the Burlington Northern-Sante-Fe railway. Residential areas are located northwest of the Site beyond the former John Deere foundry. Commercial and residential areas are Non-responsive, PII  
[REDACTED] boundary of the Site and a railroad easement.

Approximately 59,238 people are located within 4-miles of the subject property. No residences, schools, or day care centers are located within 200 feet of the area of

observed contamination. Populations within the target distance limits are summarized below.

#### **Population Within 4-Mile of the Site**

<b>Distance (miles)</b>	<b>Population</b>
0-1/4	972
1/4-1/2	2661
1/2-1	5904
1-2	13,072
2-3	14,487
3-4	22,142

\*ArcGIS is the source of population information

#### **Section 2.2 History**

According to IEPA files, the National Railway property was originally owned by Silvis Shops (aka Rock Island Railroad property) which was constructed in 1903. Silvis Shops owned over one thousand acres, but the main operations were conducted on the 82 acres on what is now National Railway property. Silvis Shops operated as a locomotive refurbishing plant whose processes included the cleaning, painting and reassembly of locomotives. The facility used several tanks and vats to contain stripping and degreasing products. Historical fire insurance maps (Sanborn) of 1950 indicate a coal and coke casting furnace was present along with a locomotive refueling depot.

National Railway purchased the property from Chrome Locomotive in 1990. IEPA agency files document that during the years of operation from 1903 to the

present, hazardous waste generated by the facility included solvents and paint sludges. Sludges produced were reportedly taken by Roto-Rooter while other liquid waste was discharged into two oil lagoons located to the north of the facility on John Deere property. According to an employee of National Railway, who had also worked for the previous owners Silvis Shops and Chrome Locomotive, a pretreatment plant was put into operation in approximately 1967 which treated the wastewater before discharging into the lagoons. In approximately 1969, the facility was connected to the East Moline sewer system to collect facility wastewater which prevented wastewater from discharging into the lagoons. In 1981, the John Deere Company sampled the lagoons and found them to contain elevated levels of heavy metals. Silvis Shops declared bankruptcy in 1981 and was subsequently purchased by Chrome Locomotive who continued the operations of locomotive refurbishing.

### Section 2.3 CERCLA Investigative History

National Railway of Silvis was placed on the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) on July 20, 1992. The facility was placed on CERCLIS as a result of a request for discovery action initiated by the State of Illinois. This action was taken because of past industrial operations and the possibility for the public wells of Silvis, located just north of the site, to be contaminated by the subject facility.

A Preliminary Assessment (PA) was conducted in May 1993 to assess the immediate or potential threat wastes at the site pose to human health and the

environment and to collect information to support a decision regarding the need for further action under CERCLA. The scope of the investigation included research and review of file information, comprehensive target survey, and a site reconnaissance visit. The Illinois EPA representative met with National Railway representatives and consultants of Earth Technology Corporation, whose company's services were attained by the previous owner Chrome Locomotive.

Interviews concluded that National Railway used small quantities of solvents in their locomotive reconditioning process, the major method relied on high pressure water and a foam detergent to clean components. The cleaning process is the major producer of wastewater at the facility. Wastewater is discharged into the East Moline sewer two or three times a week in quantities of 5000 gallons per discharge. Previously, wastewater was discharged into lagoons located to the north. Upon completion of the PA in 1993, it was recommended that the site move on to an Integrated Site Inspection.

The Integrated Site Inspection Report was completed in November 1996. Sampling was conducted in November 1993 and additional groundwater sample collected in July 1995. During the November 1993 sampling event, eleven soil, three sediment and eight water samples were collected. On July 13, 1995 an on-site industrial well was sampled. During the Integrated Assessment contaminated soil was found to be above three times background for volatiles, semi volatiles and metals. No soil samples were above Removal Action Levels. The monitoring wells detected volatiles, semi volatiles, and metals above three times background also. This site was recommended for an Expanded Site Inspection (ESI) based upon sample results.

The ESI investigation, which was also referred to as a Site Team Evaluation Prioritization (STEP), took place June 27 and 28, 2000 and the report was completed in August 2001.

The IEPA performed the ESI/STEP to fill information gaps that existed in previous CERCLA investigations and to determine whether, or to what extent, the site poses a threat to human health and the environment.

During the STEP personnel collected thirteen on-site and one background soil samples, and five onsite groundwater samples. All samples were analyzed for the Target Compound List (TCL). Information obtained throughout the CERCLA investigations has identified contaminated soil as the primary source at the National Railway of Silvis site. A few of the contaminants that met observed release criteria include arsenic, lead, and zinc.

A Site Reassessment was conducted in 2021 which consisted of a review of the site and how conditions and what remedial activity had occurred since the STEP investigation.

### **Section 3.0 Other Cleanup Authorities and Activities**

A limited subsurface investigation conducted by Rollins Technical Services in April 1988 indicated that the former diesel refueling area was contaminated with diesel fuel to a depth of nine feet. In December 1988 an environmental investigation was conducted by Geraghty and Miller, Inc. and found that groundwater under the former roundhouse contained volatile organic compounds and the groundwater in the former oil house contained volatiles, oil, grease, lead, and cadmium. Groundwater samples taken in the

former refueling area contained volatile organics and petroleum hydrocarbons, including benzene although petroleum products are excluded under CERCLA.

In 1990 Chrome Locomotive was purchased by National Railway. In April 1991 Chrome Locomotive (aka National Railway) entered into a service agreement with the IEPA Pre-Notice Clean Up program to address two areas of contamination which included a diesel area and a chlorinated solvent area. In November of 2004, additional information was provided to Illinois EPA, suggesting that a new area had been discovered to contain free product that was potentially attributable to Chrome Locomotive. On numerous occasions, Illinois EPA requested that Chrome Locomotive expand activities beyond the limited scope of work identified in the original service agreement to include the newly discovered area of potential contamination.

Since the site had been enrolled in the Site Remediation Program (SRP) since 1991, Chrome Locomotive had focused investigation and remedial activities on two areas at the site, the Chlorinated Solvent Area and the Diesel Recovery Area. Regulations implementing voluntary participation in the SRP at 35 Illinois Administrative Code 740.230(a)(3) provided that the Illinois EPA may terminate a Review and Evaluation Services Agreement if a remediation applicant failed to proceed in a timely and appropriate manner. The Illinois EPA requested that the remedial applicant expand remedial activities beyond the limited scope of those at the two previously identified locations.

Subsequently, the Illinois EPA was advised that, in fact, rather than committing to an overall site investigation as requested, the Remedial Applicant ceased operation of the Diesel Recovery System and the Chlorinated Solvent Area in 2007



due to a dispute between the former owners, Chrome Locomotive and the present owners National Railway Equipment (NRE). Therefore, on May 30, 2008 the service agreement with Illinois EPA was terminated.

On October 29, 2009, National Railway Equipment submitted a new DRM-1 form for reenrollment into the Voluntary Program. Upon enrollment into the program, NRE submitted a Phase One report on December 9, 2009 and identified 34 recognized environmental conditions. A Site Investigation report was submitted in July 2011.

Site Investigation activities included the collection of 54 soil samples at 46 locations and 11 monitoring wells (SCI 2011). All soil and groundwater samples were compared to Illinois EPA Tiered Approach to Corrective Action (TACO) tables. Soil samples were collected from 12-20 below ground surface (bgs) and sampled for VOCs, SVOCs, total metals and PCBs. The soil sample analysis detected elevated levels of metals, petroleum hydrocarbons, and chlorinated solvents. The groundwater samples detected elevated levels of petroleum hydrocarbons and chlorinated solvents. In addition to the soil and groundwater samples collected, SCI Engineering also conducted a Free Product Survey by installing temporary piezometers with 15-foot screens in locations that were known to have free product in the past. Subsequently, free product was observed in the piezometers. The Site Investigation concluded that soil and groundwater had been impacted by activities of past and present owners. A Remedial Action Plan was completed in February 2012.

The Remedial Action Plan outlined objectives to meet based upon the Site Investigation Report. These objectives included removal of free product from the site, eliminate the groundwater ingestion route, and eliminate the construction worker exposure route.

In July and August 2012, Environmental Management Alternatives (EMA) conducted an excavation in the vicinity of where free product had been observed. The location was south of the former sandblasting building (SCI 2014). The excavation was approximately 175 feet by 40 feet with a depth of up to 13 feet. The excavation produced 4816 tons of petroleum impacted soil that was disposed of offsite. Monitoring was conducted at the site after the removal and according to the remedial action plan, no free product remained after the removal. The City of Silvis enacted a groundwater ordinance on June 7, 2011 that prohibited the use of groundwater as a potable water source on certain properties located in the vicinity of the site (Attachment A). A focused NFR Letter was issued on November 2016 by the Illinois EPA (IEPA 2016) and this concluded the involvement in the SRP.

### 3.1 Regulatory Status

Following a July 18, 2006 site inspection by the IEPA Bureau of Land Field Operations Sections, a violation notice was issued based upon a violation of the Illinois Environmental Protection Act section 12(a) and 12(d). A RCRA compliance evaluation inspection (CEI) was done in 2017. The purpose of this CEI was to evaluate National Railways generator status and compliance with applicable RCRA regulatory status for hazardous waste. The violations issued in 2006 were finalized

during this investigation. Also, the site previously had an air permit for the soil and groundwater emission system but, by request of the National Railways in 2017, had the permit withdrawn. It is not known at this time why the request was made.

## **Section 4.0 Site Reassessment Field Activities**

### **4.1 Sampling Activities**

During the Site Reassessment with sampling conducted October 25-26, 2021, there were eight residential drinking water samples collected from seven different residential locations. These wells were Non-responsive, PII [REDACTED] except for the background G206 and G207 (Figure 4). No other matrices were sampled during the investigation.

#### **4.1.1 Groundwater Sampling**

The groundwater samples were collected from five downgradient residential locations in an attempt to determine if past activities conducted at up gradient facilities impacted drinking water wells. The wells were sampled directly from the spigot and were not sampled through a filtration or water softener system. Well depths for the target wells based upon boring logs or homeowner information are G201 12 ft, G202 is unknown depth, G203 is approximately 12-16 feet, G204 is 240 feet, and G205 is 170 feet. The background wells are G206 215 feet and G207 11-15 feet. The wells were sampled for VOC, SVOC, Pesticide, PCB, and total metals. The wells were purged and allowed to stabilize based upon pH, conductivity, and temperature before samples were collected. This process usually involved purging

the well for at least a half hour or more. According to the boring logs, there appears to be a defining layer separating the upper aquifer in the unconsolidated material and the water obtained from the bedrock aquifer.

## 4.2 Analytical Results

Organic water analysis was sent to Analytical Resources, Inc. located in Tukwila, WA and inorganic water analysis was sent to Bonner Analytical Testing in Hattiesburg, MS. The water samples were analyzed for the target compound list that includes the analysis of VOC, SVOC, pesticides, PCB, total metals, mercury, and cyanide. A complete analysis of all lab samples can be found in Tables 1- 5. Water was the only matrix that was sampled during this investigation.

### 4.2.1 Groundwater Sample Results

Tables 1 – 5 summarize the groundwater samples collected from residential and private wells located downgradient of the National Railways site. Groundwater samples were collected from five residential wells identified on Figure 4. There were also two background samples collected to represent deep wells and shallow wells. The first background was G206 which was listed at 215 ft and the second was G207 listed at 11-15 ft. All shallow groundwater samples were compared to the shallow background and all deep samples were compared to the deep background.

After review of all organic data (tables 1-4), there were no samples that exceeded three times background for all organic analysis. There were five

inorganic metals detected in the groundwater above three times background (table 5) and no Remedial Action Levels (RAL) exceedances for inorganics.

## **Section 5.0 Pathway Analysis**

During the Site Reassessment with sampling, only residential wells were sampled to identify any potential impacts attributable to National Railway. During this investigation, no on-site samples were collected from National Railway due to them receiving an NFR letter through the SRP program. Past sources associated with the site included the Diesel Refueling Spill area and TCE groundwater contamination. This section will combine a discussion of any Hazard Ranking System source(s) that are still present on the site or have been discovered due to sample collections during the Site Reassessment. The subsequent sections within Section 5.0 will only discuss relevant pathways or exposure routes that would pertain to this site. If it is determined that additional CERCLA activities are necessary following the Site Reassessment, this section will provide the basis from which the HRS site score will be based on.

### **5.1 Groundwater Migration Pathway**

The Site is located in the northern portion of the Galesburg Plain physiographic province. This province is characterized by relatively flat lying to undulatory topography with glacially deposited ridges of low relief. However, the topographic relief in the Galesburg Plain increases to 50 to 150 feet along streams and rivers.

The regional geology in the Rock Island area consists of unconsolidated glacial deposits overlying sequences of Paleozoic bedrock. The bedrock sequence is comprised of Cambrian to Pennsylvanian age sedimentary rocks approximately 4,000 feet thick overlying Precambrian age granite. The glacial deposits in Rock Island County range in thickness from 0 to 250 feet depending on the relief of the underlying bedrock surface. The Pleistocene glacial deposits in this region are representative of the Glasford Till, Peoria Loess, sand and gravel deposits of the Henry Formation, and Cahokia Alluvium (silt, clay, and sand). Based on a review of the *Geologic Map of Illinois* (Willman et. al., 1967), the upper bedrock surface in Rock Island County consists of Pennsylvanian, Devonian, and Silurian Aged strata consisting mostly of shale and limestone, with lesser amounts of sandstone and coal beds. The bedrock uplands located west (Rock Island) and north of the Site are comprised of Pennsylvanian Aged strata (Abbott and Spoon Formations) that are composed predominantly of shale. The lower elevation bedrock surface is comprised predominantly of Middle Devonian Age limestones (Cedar Valley and Wapsipinicon). Relatively small, isolated areas of Silurian Aged dolomite (Racine Formation) are present west and north of the Site. Bedrock beneath the Site consists of Pennsylvanian Aged strata of the Abbott Formation.

The site is underlain by 1 to 2 feet of organic rich silt and clay, which overlies approximately 35 feet of tan to brown, fine to coarse, well graded to silty sand. Discontinuous gravel and silt units are also present on-site.

Groundwater in the region occurs in the Pleistocene glacial outwash deposits (Henry Formation) and several of the deeper Silurian-Devonian and Cambrian-

Ordovician Aged bedrock strata. From top to bottom, the regional aquifer systems (Brueckmann and Bergstrom, 1968) consist of:

- Glacial outwash aquifer
- Confining beds of the Pennsylvanian shale
- Middle Devonian-Silurian aquifer
- Confining beds of the Maquoketa Formation
- Cambrian-Ordovician aquifer
- Confining beds of the Eau Claire Formation
- Mt. Simon aquifer

The glacial outwash deposits comprise the upper most aquifer in the northeast portion of Rock Island County and consist of sand and gravel deposits of the Henry Formation that overlie Pennsylvanian, Devonian, and Silurian Age bedrock. This unconsolidated aquifer is unconfined and appears to be a part of the Tampico Aquifer, which is present throughout Bureau, Henry, Lee, and Whiteside counties. Regional groundwater flow in the Tampico Aquifer is west towards the Mississippi River, with localized flow towards the Rock River (Burch, 2004). A hydraulic divide occurs between the Mississippi and Rock Rivers, where groundwater flow southeast of the Site is towards the Rock River.

Based on a review of well logs in the area, some private and industrial wells are completed in Devonian, Silurian, and Cambrian-Ordovician Aged bedrock aquifers. A well log for a production well installed at the Site in 1940 (Township 18N, Range 1E, Section 29) indicates the well was completed at a depth of 405 feet within Devonian or Silurian Age limestone. Bedrock at this well location was encountered

at a depth of approximately 52 feet below ground surface (bgs). The upper 56 ft of the bedrock surface was logged as "mud, gray; rock, dark, and mud, gray and blue."

Based on previous subsurface investigations conducted at the Site, groundwater in the glacial outwash deposits was encountered at depths ranging from 11 to 18 feet bgs. Groundwater is unconfined at the Site and flows to the north-northeast towards residential drinking wells. This groundwater flow direction is contrary to the location of the Mississippi River relative to the Site, which represents the major hydraulic discharge boundary in the area. The deviation of groundwater flow could be attributed to the low-lying marshy area ("wetland area") north of the Site. This area may act as a secondary hydraulic discharge boundary where groundwater is removed due to evapotranspiration from the marshy area during the spring and summer months. During the summer months and growing season, there is practically no recharge to the Tampico Aquifer due to evapotranspiration (Burch, 2004).

Results from hydrogeologic investigations conducted in 1988 and 1993 indicate that the shallow groundwater flows in a north-northeast direction. The site hydrogeology consists of an unconfined water table within unconsolidated Pleistocene sands bounded at depth by a Pennsylvanian unit.

In 2001-2007, as part of activities under SRP, an LNAPL recovery system was implemented due to free product discovered in the groundwater. Three discovery wells and two converted monitoring wells were used to extract approximately 9,020 gallons during this time period. The 2012 remedial action consisted of the



excavation and proper disposal of the LNAPL and impacted soil in the Diesel Refueling Area and 338 gallons of TCE from the Main Plant Chlorinated Solvent Area through the use of an air sparge/soil vapor extraction system. The extraction system was discontinued in 2014 and a groundwater ordinance was enacted.

The Village of Silvis, IL receives its drinking water from ten groundwater wells which serves a population of approximately 7,600 residents and supplies approximately 579,000 gallons of water per day. All public water supply wells are located up-gradient of the National Railway site (Figure 7). There are private wells located downgradient of the site that were sampled during this sampling event (Figure 4). There is a total of 24 active public water supply wells in the [REDACTED] (Figure 3). Based upon sample results of the wells sampled, it is not thought that the groundwater pathway is of concern at this time due to the groundwater ordinances in place in Silvis and East Moline; and the wells sampled showed no signs of environmental impact. Water quality monitoring of the community wells were checked within the Illinois EPA database and no violations were noted.

#### ISGS Water Wells

Distance	# of Water Wells**
0-1/4	15
1/4-1/2	4
1/2-1	16
1-2	116

2-3	139
3-4	189

\*ArcGIS is the source of well information

\*\* approximately 2.3 residents per household

## 5.2 Surface Water Pathway

The surface water pathway is defined by the HRS Guidance as the path that hazardous substances would travel over land from a source to surface water and within the surface water to the TDL.

There are no known overland flow pathways from the National Railway site to either the Mississippi River or the Rock River that were identified in previous investigations. The topography of the area is flat, and no defined drainage pathway exists for surface water runoff. The geology of the site is quite porous and sandy. There is a wetland located approximately 1500 feet to the north of the National Railway property on the adjacent John Deere property. In the past, oil seeps have been discovered near the wetlands (Figure 5) and allegations have been suggested that these oil seeps are directly related to free product originating on the National Railway property. Sampling was done in 2010 by John Deere that discovered free product in monitoring wells. The site is between the Mississippi River and the Rock River. The Mississippi River is approximately 1.5 miles to the west and the Rock River is approximately 2 miles to the southeast.

### 5.3 Soil Exposure Pathway and Subsurface Intrusion Pathway

#### 5.3.1 Soil Exposure Pathway

The soil exposure pathway is not of concern at this time due to previous cleanups conducted at the site through the Site Remediation Program and the issuance of a “No Further Remediation” (NFR) letter. According to the NFR letter, areas outside the remediation site boundaries or specific engineered barrier locations are not subject to any other institutional or engineered barrier controls. During the Site Investigation Report of 2011, it was reported that soil contamination was present with some of the contaminants such as chromium, lead, naphthalene, benzene and trichloroethene to name a few were found in exceedances of IEPA Tier 1 Soil Remediation Objectives (SCI Engineering 2011). The NFR letter addressed these issues by implementing the requirement of a health and safety plan in the event of any construction or excavation activities. In 2012 as part of a Remedial Action Plan, a removal action took place that consisted of the removal of LNAPL and contaminated soil in the Diesel Refueling Area and the North Area. Approximately 4816 tons of material was removed and properly disposed.

<b>Distance (miles)</b>	<b>Population</b>
0-1/4	972
1/4-1/2	2661
1/2-1	5904

### 5.3.2 Subsurface Intrusion Pathway

In 2017, the U.S. EPA added the Subsurface Intrusion (Ssl) Component to the HRS. This component enables U.S. EPA to consider human exposure to hazardous substances or pollutants and contaminants that enter regularly occupied structures through subsurface intrusion when evaluating a site for placement on the NPL. Subsurface intrusion is the migration of hazardous substances or pollutants and contaminants from the unsaturated zone and/or the surficial ground water into overlying structures (e.g. homes, businesses, schools). While subsurface intrusion can occur through multiple mechanisms, the most common form of subsurface intrusion is vapor intrusion because vapors migrate readily through the subsurface into structures even if the source of the vapors is located well below the base of the structure. As a result, contaminant concentrations in those structures can rise to a point where the health of residents or workers could be at risk.

The revised HRS evaluates both the evidence that contaminants have moved into a living space from the subsurface (observed exposure), and the potential for contaminants to move into a living space from the subsurface (potential exposure). Observed exposure involves chemical analysis or direct observation from within the living space while potential exposure is based on several factors, including characteristics of the structure, depth to contamination, and vapor migration potential based on subsurface geology and hazardous substance characteristics.

During past investigations conducted at the National Railways site, a soil vapor extraction system was administered to remediate PCE, TCE and cis-DCE from an area of the site located next to the office building and the main plant building (Figure 4). This

system was operated from February 1997 to approximately June 2014. According to the Remedial Action Completion Report, groundwater concentrations at MW-12 and MW-20 had been consistent over several years and the conclusion was that the system had remediated the groundwater to the maximum extent possible (SCI, 2014). It is not known at this time if the system has been removed.

#### 5.4 Air Pathway

There have been no documented reports, records, or complaints of air releases at the site. There have been no air samples collected in the past and is not thought to be of concern at this time.

### **6.0 Summary and Conclusion**

The purpose of this investigation was to determine if National Railways site warrants further evaluation by the CERCLA Site Assessment Program. The primary objective of the Site Reassessment with sampling is to gather necessary information needed to evaluate the extent that a site presents a threat to human health and/or the environment. The National Railways site was selected for reassessment with sampling due to past activities which have occurred at the site and the possible release of contaminants to the environment.

The site, located at 300 9<sup>th</sup> Street in Silvis, IL, was originally owned and operated by Rock Island Railroad beginning in 1905. After Rock Island Railroad went bankrupt in the early 1980's, the facility was purchased by Chrome Locomotive a division of the

Varlen Corporation. Chrome Locomotive performed repair and maintenance of diesel locomotives and components until the facility was sold to National Railway Equipment Company in 1990. National Railway Equipment Company is the present-day owner of the site and is still operational as of this report.

Site investigations conducted by Illinois EPA in 2000 indicated the presence of volatiles, semi-volatiles, pesticides and metals in the groundwater. Prior to the investigation, National Railway had been enrolled in the Illinois EPA Site Remediation Program. National Railway was working on cleaning up areas of known contamination such as the “Diesel Refueling Area” and the “Main Plan Chlorinated Solvent Recovery Area” but was removed from the program after new areas of contamination were discovered. The new area of potential contamination that was discovered related to a monitoring well located on the John Deere property and located approximately 10 feet from the National Railway property line. In the SRP, National Railway was asked to look at this issue and at the time they were not willing to address the issues.

Subsequently they were re-enrolled into the program in 2009 and were willing to then address all known areas of contamination. A Remedial Action Completion Report was finished in 2014. Environmental controls such as a Silvis restrictive use groundwater ordinance, construction worker warning statement, and commercial/industrial use restrictions were implemented.

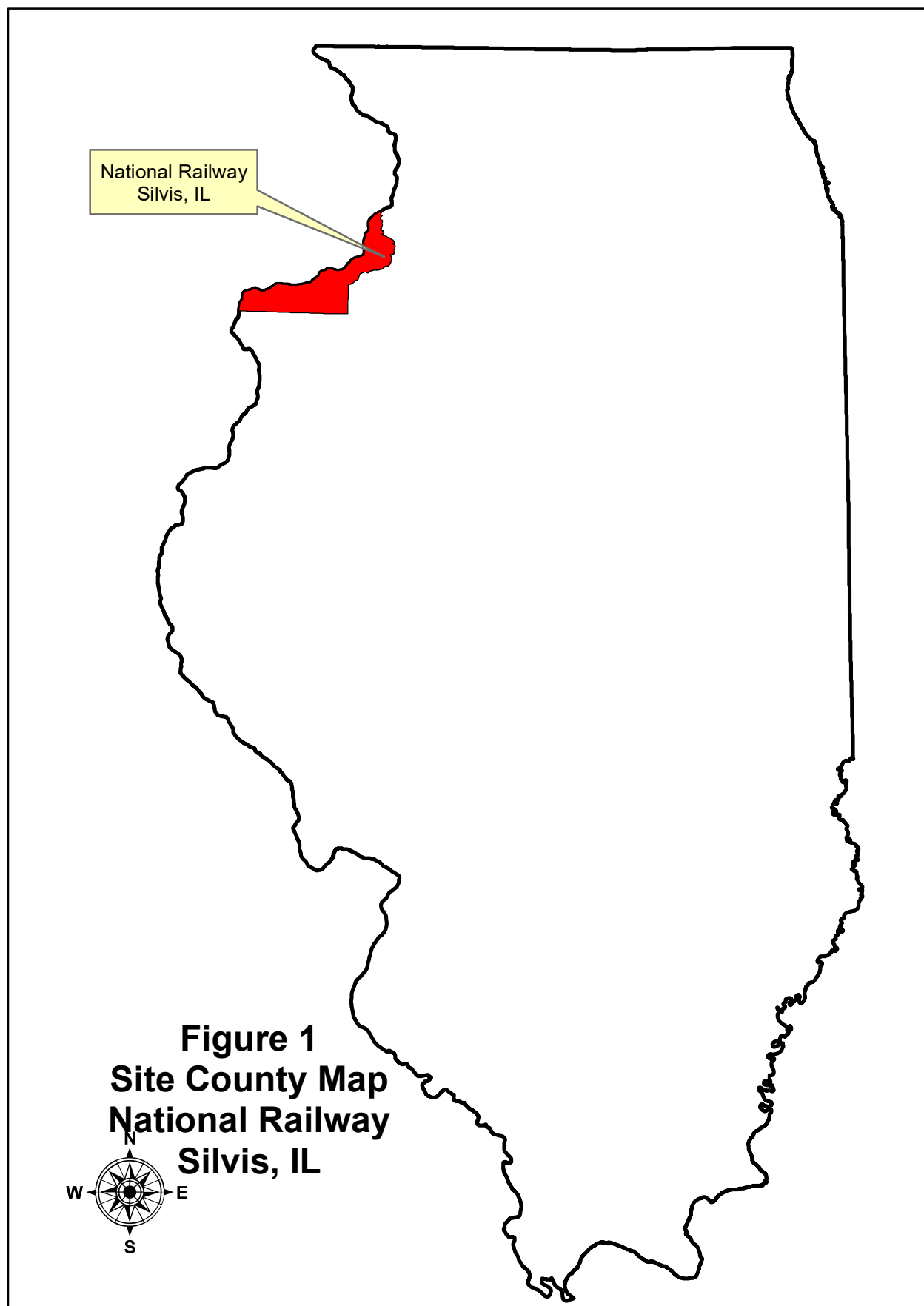
National Railways has received a Focused “No Further Remediation” Letter from the SRP Program, and off-site residential groundwater samples collected during this investigation did not show contamination in off-site wells (Figure 5 and 8).

## **7.0 References**

- Site Investigation Report, SCI Engineering, July 12, 2011.
- Phase One Environmental Site Assessment, SCI Engineering, December 9, 2009.
- Site Investigation Report, SCI Engineering, July 12, 2011.
- Remedial Action Completion Report, SCI Engineering, August 13, 2014.
- No Further Remediation Letter, Illinois Environmental Protection Agency, November 2016.
- Groundwater geology of the Rock Island, Monmouth, Galesburg, and Kewanee area, Illinois. J.E. Brueckmann and R.E. Bergstrom, 1968.
- Groundwater Conditions of the Principal Aquifers of Lee, Whiteside, Bureau, and Henry Counties, Illinois.
- Illinois State Geological Survey. 1967. Geologic Map of Illinois Compiled by H.G. Willman and other.

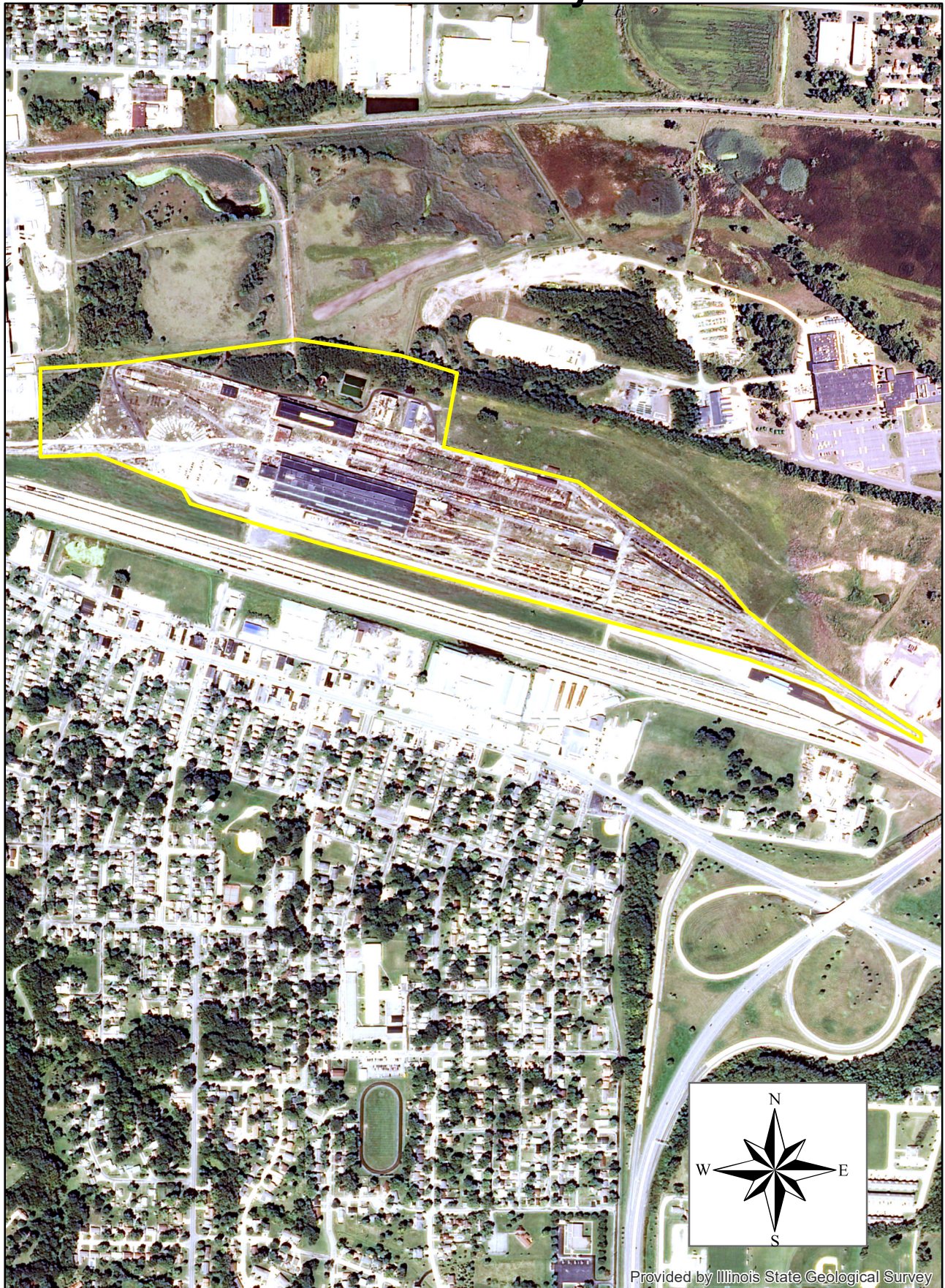
# FIGURES







**Figure 2**  
**Site Boundary**



Provided by Illinois State Geological Survey

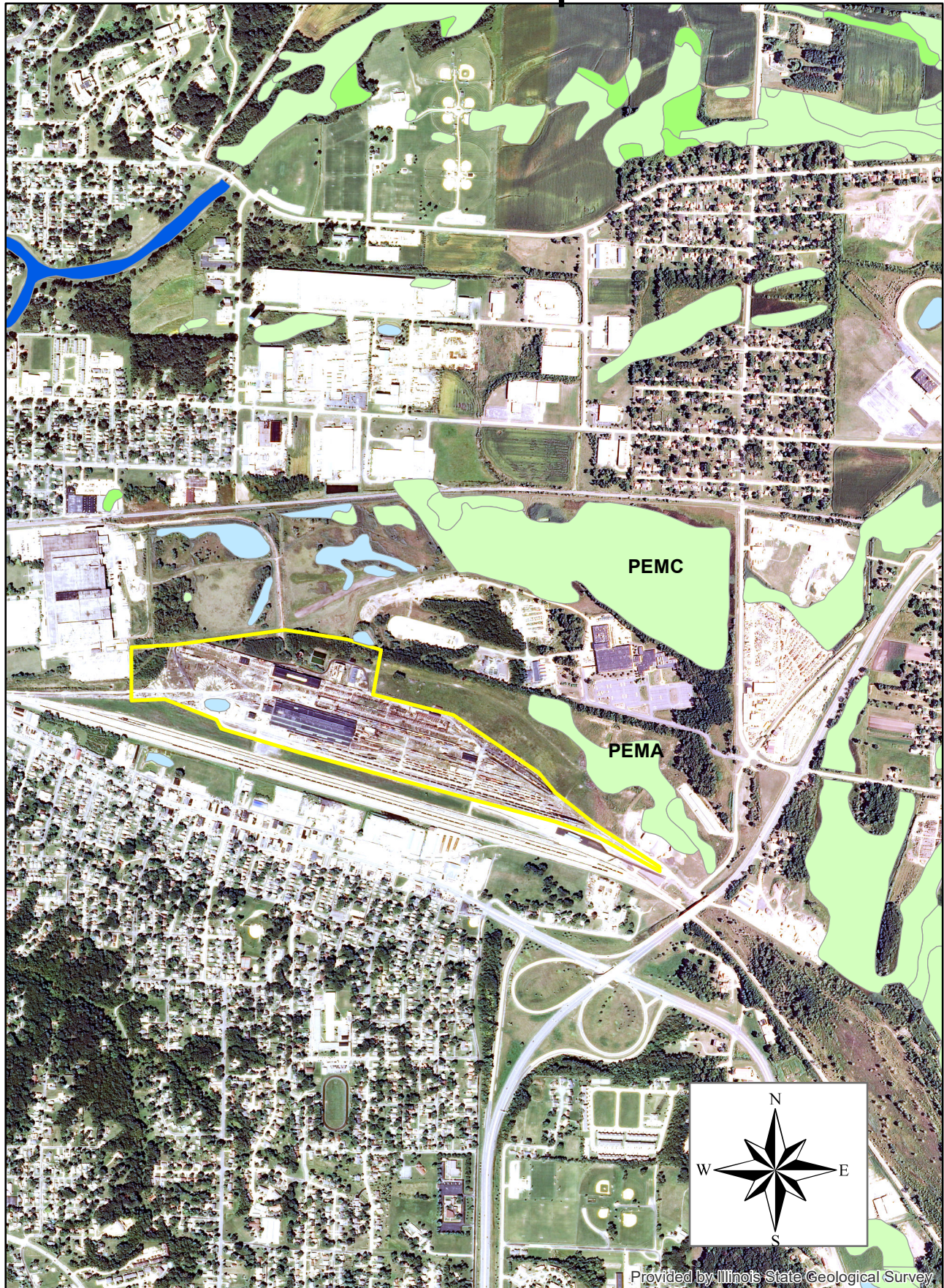


Non-responsive, well locations

Non-responsive, well locations



**Figure 5**  
**Wetland Map**





**Figure 6**  
**Buildings and Structures**





Non-responsive, well locations





**GROUNDWATER  
ORDINANCE  
(Carbon Cliff)**

**Run Date** :2/3/2005

## DLC Assignment Form

**Assignment ID** :3990  
**Subject** :Carbon Cliff/Railtech Group Property  
**Subject Type** :Ordinance Review  
**DLC In Date** :2/3/2005  
**DLC File No.** :  
**Correspondence No.** :R05020301

**DLC Completed Date.** :

**Assigned Staff:**

Rominger, Kyle	Attorney
Flowers, Stephanie	Attorney
Murphy, Tim	Bureau Requestor

**Project Details:**

Status Issued Date: 2/3/2005 Due Date: 3/3/2005  
Please review revised ordinance.

**Comments:**

## **APPENDIX B**

### **Certified Groundwater Ordinance**

Ordinance No. 99-2

Ordinance No. 04-20

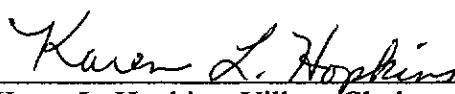
Ordinance No. 04-41

CERTIFICATION

STATE OF ILLINOIS                    )  
  ) SS  
COUNTY OF ROCK ISLAND            )

I, Karen L. Hopkins, Village Clerk of the Village of Carbon Cliff, Illinois, keeper of all records  
HEREBY CERTIFY that the attached Ordinance No. 99-2, "An Ordinance Amending The  
General Penalties Provision Of Title I, Article 3 Of The Village Code", is a true copy of said  
Ordinance as adopted by the President, and Board of Trustees of the Village of Carbon Cliff,  
Illinois, on the 27<sup>th</sup> day of January, 1999.

Dated this 9<sup>th</sup> day of November, 2004.

  
\_\_\_\_\_  
Karen L. Hopkins, Village Clerk  
Village of Carbon Cliff, Illinois

(SEAL)

**AN ORDINANCE AMENDING THE GENERAL PENALTIES  
PROVISION OF TITLE I, ARTICLE 3 OF THE VILLAGE CODE**

**WHEREAS**, the President and the Board of Trustees of the Village of Carbon Cliff deem that the Village needs to keep the penalty provision of the Village Code current and to create a system which allows penalties from uncontested ordinance violations to be paid directly to the Village;

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Carbon Cliff, Rock Island County, Illinois, as follows:

**SECTION ONE:**

Title I, Article 3, Section 1 of the Village Code, entitled "General Penalty" is hereby deleted and, in place thereof, the following enumerated sections:

**Section 1. General Penalty.**

- 1.1 Any person convicted of a violation of any section of this Village Code shall be fined in a sum not less than seventy-five dollars (\$75.00) nor more than seven hundred and fifty dollars (\$750.00). Any juvenile convicted of a violation of any section of this Code may be fined in a sum not less than seventy-five dollars (\$75.00) nor more than seven hundred and fifty dollars (\$750.00) unless otherwise stated.
- 1.2 In the event a person is charged with a violation of an ordinance contained in the Village Code, and does not wish to contest that charge, then said person so charged may pay to the Village Clerk at Village Hall, a minimum fine of Fifty Dollars (\$50.00) within eleven (11) business days of the date of receipt of the citation (date of issuance included), and prior to a conviction for such ordinance violation in the circuit court, for and in full satisfaction of said violation.
- 1.3 In the event the village clerk does not receive payment as prescribed in paragraph 1.2 above within eleven (11) business days of the date of receipt of citation (date of issuance included) the Village may then file such ordinance violation with the Circuit Court in the Fourteenth Judicial Circuit for prosecution with such ordinance violation subject to the fines set out in paragraph 1.1 above..

**SECTION TWO:**

THAT any section, subdivision or sentence of this Ordinance shall for any reason be held invalid or unconstitutional, such decision shall not effect the validity of the remainder of the Ordinance.

**SECTION THREE:**

THAT this ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

**ADOPTED** by the Board of Trustees for the Village of Carbon Cliff, Illinois, this 19<sup>th</sup> day of January, 1999, pursuant to a roll call vote as follows:

Trustee Chapman

yes

Trustee Hendricks

yes

Trustee Gast

yes

Trustee James

yes

Trustee Hart

yes

Trustee Lane

yes

President Williams \_\_\_\_\_

**APPROVED** this 27<sup>th</sup> day of January, 1999.

Kenneth A. Williams

Kenneth A. Williams, Village President  
Village of Carbon Cliff

**ATTESTED** to the 27 day of January, 1999.

Kimberly Cramer  
Village Clerk  
Village of Carbon Cliff

Published in pamphlet form by  
authority of the Board of  
Trustees of the Village of  
Carbon Cliff, Rock Island  
County, Illinois,

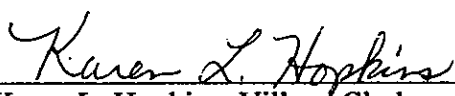
this 27 day of January 99

CERTIFICATION

STATE OF ILLINOIS                    )  
  ) SS  
COUNTY OF ROCK ISLAND            )

I, Karen L. Hopkins, Village Clerk of the Village of Carbon Cliff, Illinois, keeper of all records  
HEREBY CERTIFY that the attached Ordinance No. 04-20, "An Ordinance Amending Title I,  
Article 4, Section 1, Of The Village Code For The Village Of Carbon Cliff", is a true copy of  
said Ordinance as adopted by the President, and Board of Trustees of the Village of Carbon Cliff,  
Illinois, on the 4<sup>th</sup> day of May, 2004.

Dated this 9<sup>th</sup> day of November, 2004.

  
\_\_\_\_\_  
Karen L. Hopkins, Village Clerk  
Village of Carbon Cliff, Illinois

(SEAL)

STATE OF ILLINOIS                    )  
  )  
  )       SS  
COUNTY OF ROCK ISLAND        )



CERTIFICATE

I, Karen L. Hopkins, certify that I am the duly appointed and acting municipal clerk of the Village of Carbon Cliff, Rock Island County, Illinois.

I further certify that on May 4, 2004, the corporate Authorities of such municipality passed and approved Ordinance No. 04-20, entitled, "An Ordinance Amending Title 1, Article 4, Section 1, Of The Village Code For The Village Of Carbon Cliff", Adopted May 4, 2004, which provides by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 04-20, including the Ordinance and cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on May 6, 2004 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Carbon Cliff, Illinois, this 6<sup>th</sup> day of May 2004.

  
Karen L. Hopkins, Municipal Clerk  
  
DEPUTY CLERK

(SEAL)


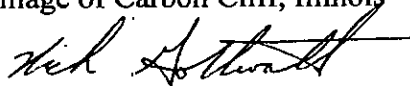


CERTIFICATION

STATE OF ILLINOIS                    )  
  ) SS  
COUNTY OF ROCK ISLAND         )

I, Karen L. Hopkins, Village Clerk of the Village of Carbon Cliff, Illinois, keeper of all records  
HEREBY CERTIFY that the attached Ordinance No. 04-20 is a true copy of said Ordinance as  
adopted by the President, and Board of Trustees of the Village of Carbon Cliff, Illinois, on the 4<sup>th</sup>  
day of May, 2004.

Dated this 6<sup>th</sup> day of May, 2004.

  
Karen L. Hopkins, Village Clerk  
Village of Carbon Cliff, Illinois  
  
DEPUTY CLERK

(SEAL)

# Village of Carbon Cliff

## ORDINANCE NO. 04-20

### AN ORDINANCE AMENDING TITLE I, ARTICLE 4, SECTION 1, OF THE VILLAGE CODE FOR THE VILLAGE OF CARBON CLIFF.

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Carbon Cliff, Illinois, that:

**SECTION ONE:** Title I, Article 4, Section 1, of the Village Code for the Village of Carbon Cliff is hereby deleted.

**SECTION TWO:** Title I, Article 4, Section 1, of the Village Code for the Village of Carbon Cliff shall be as follows:

#### ARTICLE 4

#### DEFINITIONS

**SECTION ONE:** Whenever the following words or terms are used in this Code, they shall have such meaning as ascribed to them below, unless the context specifically indicates otherwise.

- |                         |  |
|-------------------------|--|
| <b>1.01 AGENT</b>       | A person acting on behalf of another.  |
| <b>1.02 ALLEY</b>       | Shall mean a public right-of-way, other than a street, affording secondary means of access to a butting property.  |
| <b>1.03 BOARD</b>       | Shall mean the Board of Trustees of Carbon Cliff, Illinois.  |
| <b>1.04 CLERK</b>       | Shall mean the Village Clerk of Carbon Cliff, Illinois.  |
| <b>1.05 CODE</b>        | Shall mean the specific chapter in which a specific subject is covered and bears a descriptive title word (such as the Building Code and/or a standard code adopted by reference). |
| <b>1.06 COUNTY</b>      | Shall mean Rock Island County, Illinois.   |
| <b>1.07 EMPLOYEES</b>   | Whenever reference is made in this Code to a Village employee by title only, this shall be constructed as though followed by the words "of the Village of Carbon Cliff."           |
| <b>1.08 FEE</b>         | A sum of money charged by the Village for the carrying on of a business, profession or occupation.   |
| <b>1.09 FISCAL YEAR</b> | The "fiscal year" of the Village shall coincide with the calendar year, and begin January 1 and end on December 31 of each year.   |

- 1.10 LICENSE** The permission granted for the carrying on of a business, professional or occupation.
- 1.11 MEASURE** Shall mean an ordinance, amendment, resolution, or motion.
- 1.12 MISDEMEANOR** Any offense for which a sentence to a term of imprisonment in other than a penitentiary for less than one year may be imposed.
- 1.13 MONTH** Shall mean a calendar month.
- 1.14 OATH** Shall be construed to include an affirmation in all cases in which by law an affirmation may be substituted for an oath, and in such cases the words "affirm" and "affirmed" shall be equivalent to the words "swear" and "sworn."
- 1.15 OCCUPANT, TENANT** As applied to a building or land, shall include any person who occupies the whole or any part of such building or land whether alone or with others.
- 1.16 OFFENSE** Any act forbidden by any provision of this Village Code or the omission of any act required by the provisions of this Village Code.
- 1.17 OFFICERS** Whenever reference is made in this Village Code to a Village officer by title only, this shall be construed as though followed by the words "of the Village of Carbon Cliff."
- 1.18 OPERATOR** The person who is in charge of any operation, business or profession.
- 1.19 ORDINANCES** Shall mean the ordinances of the Village of Carbon Cliff, Illinois, as embodied in the Code of Ordinances, ordinance not repealed by the ordinance adopting the Code of Ordinances, and those enacted hereafter.
- 1.20 OWNER** As applied to a building or land, shall include any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of a part of such building or land.
- 1.21 PERSON** Is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.
- 1.22 PERSONAL PROPERTY** Includes every description of money, goods, chattels, effects, evidence of rights in action and all written instruments by which any pecuniary obligation, right title to property is created, acknowledged, transferred, increased, defeated, discharged or diminished and every right or interest therein.

**1.23 POTABLE WATER:** Is any water used for human or domestic consumption including but not limited to water used for drinking, bathing, swimming, washing dishes or preparing foods.

- 1.24 PRECEDING, FOLLOWING** Shall mean next before and next after, respectively.
- 1.25 PRESIDENT** Shall mean the President of the Board of Trustees of the Village of Carbon Cliff.
- 1.26 PROPERTY** Shall include real property, and tangible and intangible personal property unless clearly indicated otherwise.
- 1.27 PROPERTY LINE** The line marking the boundary between any street and the lots or property abutting thereon.
- 1.28 PROPERTY OWNER** Shall mean a person owning private property in the Village as shown by the Rock Island County Supervisor of Assessment's plats of the Village.
- 1.29 PUBLIC PLACE** Shall include in its meaning, but is not restricted to, any Village-owned open place, such as parks and squares.
- 1.30 PUBLIC PROPERTY** Shall mean any and all property owned by the Village or held in the name of the Village by any of the departments, commissions or agencies within the Village government.
- 1.31 PUBLIC WAY** Shall include any street, alley, boulevard, parkway, highway, sidewalk, or other public thoroughfare.
- 1.32 RETAILER** Unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things in small quantities direct to the consumer.
- 1.33 RIGHT-OF-WAY** The privilege of the immediate use of the roadway or other property.
- 1.34 SIDEWALK** Shall mean that portion of the street between the edge of the traveled way, surfacing, or curb line and the adjacent property line.
- 1.35 STATE** Shall mean the State of Illinois.
- 1.36 STATUTES, LAWS** Shall mean the latest edition of the Illinois Revised Statutes.
- 1.37 STREET** Includes alleys, lanes, courts, boulevards, public ways, public squares, public places and sidewalks.

- 1.38 TENANT** As applied to a building or land, shall include any person who occupies the whole or any part of such buildings or land, whether alone or with others.
- 1.39 TOWNHOUSE** A single-family attached dwelling in a row of at least three such units in which each unit has its own ground floor access, a unit may or may not be located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant wall(s) or a fire and sound resistant enclosed separation or space, and wherein each dwelling unit is on a separate lot under separate ownership, or could be in the future.
- 1.40 VILLAGE** Shall mean the Village of Carbon Cliff, Illinois.
- 1.41 VILLAGE CODE** Shall mean the Code of Ordinances of the Village of Carbon Cliff, Illinois.
- 1.42 WHOLESALER** The terms "wholesaler" and "wholesale dealer" as used in this Code, unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things in quantity to persons who purchase for the purpose of resale.
- 1.43 IN WRITING, WRITTEN** May include printing and any other mode of representing words and letters, but when the written signature of any person is required by law to any official or public writing or bond required by law, it shall be in the proper handwriting of such person, or in case he is unable to write, by his proper mark.
- 1.44 YEAR** Shall mean a calendar year.

**SECTION THREE:** All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed insofar as they do so conflict.

**SECTION FOUR:** If any section, paragraph, sentence, or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, sentence, or provision shall not affect any of the remaining provisions of this ordinance.

**SECTION FIVE:** This ordinance shall be in full force and effect, from and after its adoption, approval, and publication in pamphlet form as required by law.

**ADOPTED** by the Board of Trustees for the Village of Carbon Cliff, Illinois, this 4<sup>th</sup> day of May, 2004, pursuant to a roll call vote as follows:

	AYES	NAYS	ABSENT
Don Brewer	<u>X</u>	<u>      </u>	<u>      </u>
Mark Gast	<u>X</u>	<u>      </u>	<u>      </u>
Myron James	<u>X</u>	<u>      </u>	<u>      </u>
Alma Neels	<u>X</u>	<u>      </u>	<u>      </u>
Jessie Sanders	<u>X</u>	<u>      </u>	<u>      </u>
Richard Wienandt	<u>      </u>	<u>      </u>	<u>X</u>
	AYES: <u>5</u>	NAYS: <u>0</u>	ABSENT: <u>1</u>

APPROVED by the President of the Board of Trustees of the Village of Carbon Cliff this 6<sup>th</sup> day of May, 2004.

Ken Williams  
Ken Williams, Village President

ATTEST

Karen L Hopkins  
Karen L. Hopkins, Village Clerk

Phil A. Thwait  
DEPUTY CLERK

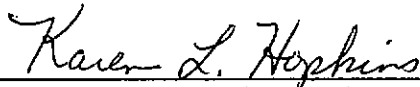
(SEAL)

CERTIFICATION

STATE OF ILLINOIS                    )  
  ) SS  
COUNTY OF ROCK ISLAND            )

I, Karen L. Hopkins, Village Clerk of the Village of Carbon Cliff, Illinois, keeper of all records  
HEREBY CERTIFY that the attached Ordinance No. 04-41, "An Ordinance Amending Title V,  
Article 1, Section 13 Of The Village Code For The Village Of Carbon Cliff.", is a true copy of  
said Ordinance as adopted by the President, and Board of Trustees of the Village of Carbon Cliff,  
Illinois, on the 16<sup>th</sup> day of November, 2004.

Dated this 18<sup>th</sup> day of November, 2004.

  
\_\_\_\_\_  
Karen L. Hopkins, Village Clerk  
Village of Carbon Cliff, Illinois

(SEAL)

STATE OF ILLINOIS                    )  
  )  
  )       SS  
COUNTY OF ROCK ISLAND            )

CERTIFICATE

I, Karen L. Hopkins, certify that I am the duly appointed and acting municipal clerk of the Village of Carbon Cliff, Rock Island County, Illinois.

I further certify that on November 16, 2004, the corporate Authorities of such municipality passed and approved Ordinance No. 04-41, entitled, "An Ordinance Amending Title V, Article 1, Section 13 Of The Village Code For The Village Of Carbon Cliff.", Adopted November 16, 2004, which provides by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 04-41, including the Ordinance and cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on November 18, 2004 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Carbon Cliff, Illinois, this 18<sup>th</sup> day of November 2004.

Karen L. Hopkins  
Karen L. Hopkins, Municipal Clerk

(SEAL)



Village of Carbon Cliff

ORDINANCE NO. 04-41

AN ORDINANCE AMENDING TITLE V, ARTICLE 1, SECTION 13 OF THE VILLAGE CODE  
FOR THE VILLAGE OF CARBON CLIFF.

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Carbon Cliff, Illinois, that:

**SECTION ONE:** Title V, Article 1, Section 13 of the Village Code for the Village of Carbon Cliff is hereby deleted in its entirety.

**SECTION TWO:** Title V, Article 1, Section 13 of the Village Code for the Village of Carbon Cliff shall now be as follows:

Groundwater As Potable Water Supply Prohibited

Section 13. The use or attempt to use a potable water supply from groundwater within the corporate limits of the Village of Carbon Cliff by the installation of new wells is prohibited in the area identified on the attached Exhibit "A" and accompanying description, prohibited in the areas identified on the attached Exhibit "A-1" and accompanying description, and prohibited in the areas identified on the attached Exhibit "B" and accompanying description, including points of withdrawal by the Village of Carbon Cliff.

**SECTION THREE:** That all ordinances or resolutions, or parts in either, in conflict herewith are, to the extent of such conflict hereby repealed.

**SECTION FOUR:** Each section and each provision or requirement of any section or subsection, and each paragraph or sentence of this ordinance shall be considered severable, and the invalidity for any reason of any portion or portions of this ordinance shall not effect the validity or enforcement of any other remaining portion thereof.

**SECTION FIVE:** This ordinance shall be in full force and effect from and after its passage, publication and approval as provided by law.

**ADOPTED** by the Board of Trustees for the Village of Carbon Cliff, Illinois, this 16<sup>th</sup> day of November, 2004, pursuant to a roll call vote as follows:

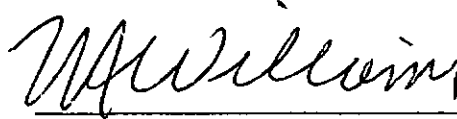
	<b>AYES</b>	<b>NAYS</b>	<b>ABSENT</b>
Don Brewer	<u>X</u>	_____	_____
Mark Gast	<u>X</u>	_____	_____
Myron James	<u>X</u>	_____	_____
Alma Neels	<u>X</u>	_____	_____
Jessie Sanders	<u>X</u>	_____	_____
Richard Wienandt	<u>X</u>	_____	_____

AYES: 6

NAYS: 0

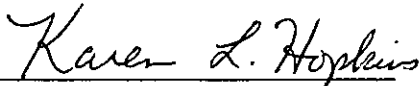
ABSENT: 0

**APPROVED** by the President of the Board of Trustees of the Village of Carbon Cliff this 17<sup>th</sup> day of November, 2004.



Ken Williams, Village President

ATTEST



Karen L. Hopkins, Village Clerk

(SEAL)

# EXHIBIT A

PART OF A CIRCULAR PARCEL OF GROUND SPACE, SAID CIRCLE HAVING A RADIUS OF 545.70 FEET AND A DIAMETER OF 1091.40 FEET, WITH THE CENTER OF SAID CIRCLE DESCRIBED AS FOLLOWS:

PART OF THE NORTHEAST QUARTER OF SECTION 32 AND PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 1 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE CITY OF SILVIS, ROCK ISLAND COUNTY, ILLINOIS;

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 32;

THENCE SOUTH 04°13'35" EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 920.41 FEET;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 238.17 FEET TO THE CENTER OF SAID 545.70 FOOT RADIUS CIRCLE;

THE ABOVE DESCRIBED PARCEL EXCLUDING THOSE AREAS WITHIN THE RIGHT-OF-WAYS OF PUBLIC ROADS OR OUTSIDE THE CORPORATE LIMITS OF THE VILLAGE OF CARBON CLIFF, CONTAINS 0.28 ACRES, MORE OR LESS.

## LEGEND



PORTION OF SUBJECT PROPERTY COVERED BY THE CARBON CLIFF GROUND WATER ORDINANCE

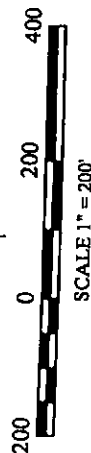
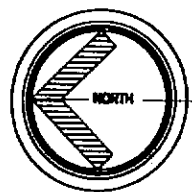


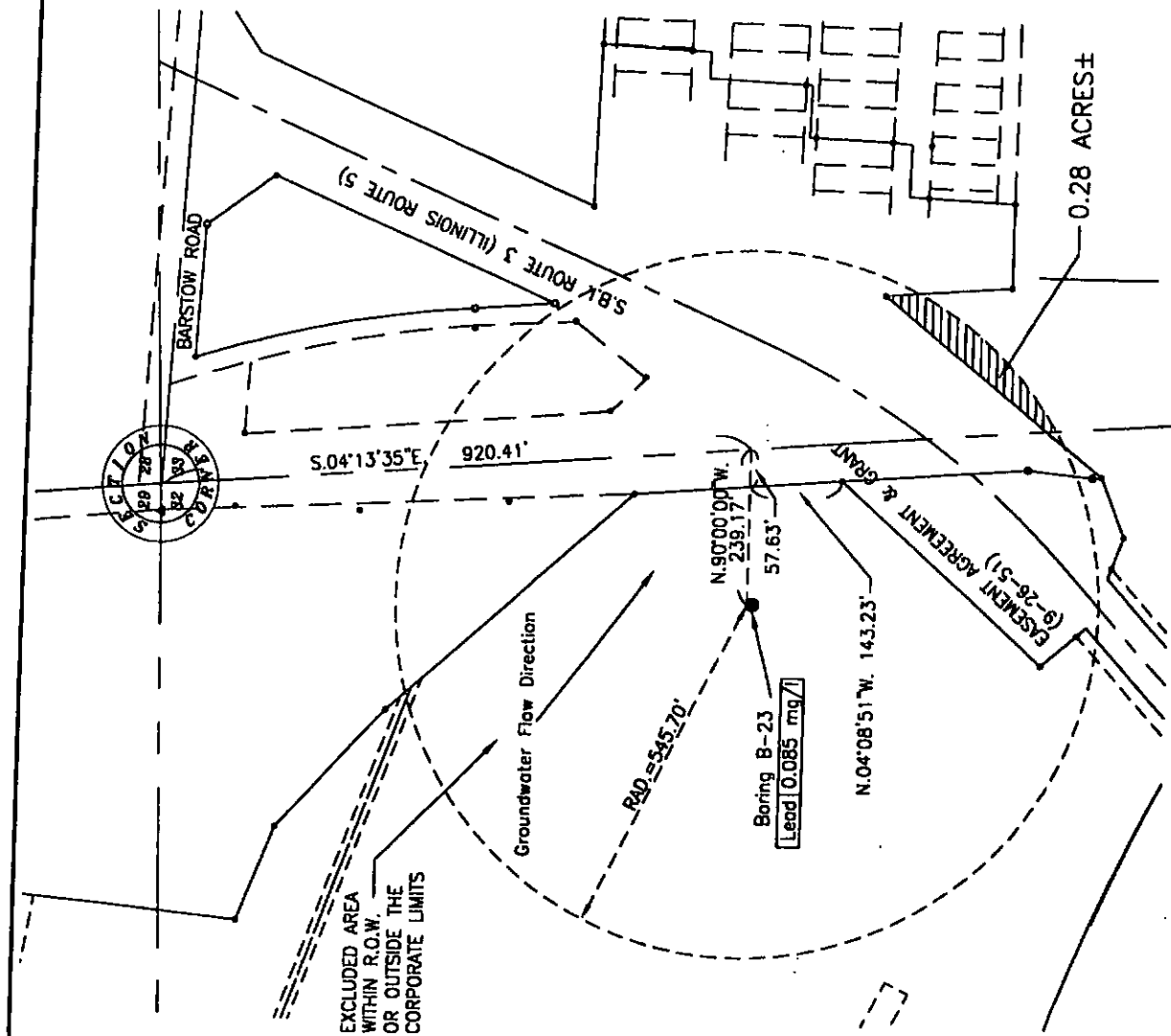
EXHIBIT FOR GROUND WATER ORDINANCE  
FORMER RAILROAD PROPERTY  
CARBON CLIFF, ILLINOIS



221 Industrial Center • Mount Sterling, Illinois  
Rock Island, Rock Island, Illinois 61201  
(309) 385-1000 FAX (309) 385-1001

JOB NO. C02E003

SHEET 1 OF 1



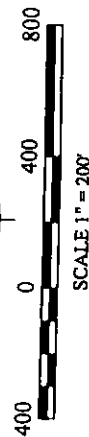
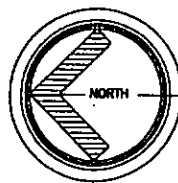
# EXHIBIT A-1

LINE TABLE				LINE TABLE			
LINE	BEARING	DIST.		LINE	BEARING	DIST.	
L1	S04°13'29"E	1055.77		L20	N03°01'44"E	4.97	
L2	S85°48'31"W	57.66		L21	S86°56'41"E	423.82	
L3	S04°12'42"E	285.99		L22	S04°32'40"E	582.07	
L4	S05°23'58"W	101.40		L23	S88°36'04"E	105.57	
L5	S04°15'02"E	15.00		L24	N04°32'40"W	578.97	
L6	N38°42'15"E	438.74		L25	S86°55'49"E	644.27	
L7	S04°13'29"E	195.20		L26	S03°08'00"W	283.87	
L8	S89°38'35"E	129.30		L27	N86°55'49"W	70.00	
L9	N03°07'22"E	163.17		L28	S03°08'00"W	159.12	
L10	S88°36'04"E	80.01		L29	S86°55'49"E	70.00	
L11	N03°08'05"E	160.02		L30	S03°08'00"W	636.48	
L12	S88°36'04"E	80.01		L31	N86°55'49"W	30.00	
L13	N03°10'11"E	160.01		L32	S03°08'00"W	104.66	
L14	S88°36'04"E	40.00		L33	S89°47'51"E	848.38	
L15	N03°07'37"E	169.94		L34	S04°13'01"E	1435.57	
L16	N88°36'04"W	247.98		L35	S83°23'38"W	529.84	
L17	N23°17'05"E	573.11		L36	S34°58'13"E	439.43	
L18	N54°56'22"E	96.13		L37	S17°10'54"E	46.84	
L19	S86°56'41"E	105.50		L38	S72°49'06"W	221.98	

## LEGEND

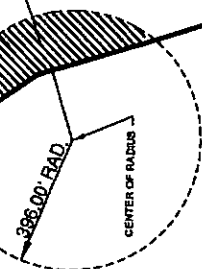


AREA COVERED BY THE CARBON CLIFF GROUND WATER ORDINANCE THAT EXTENDS OFF THE SUBJECT PROPERTY



RESULT AREA DESCRIBED IN EXHIBIT A-1 LEGAL DESCRIPTION

2.18 ACRES±



AREA WITHIN THE TRACT II LEGAL DESCRIPTION TO BE SUBTRACTED FROM THE EXHIBIT A-1 LEGAL DESCRIPTION, AS INDICATED

PLUCK A BEAN BOUNDARY LINE

T 18 N, R 1 E, 48 P.M.

2ND AVE

3RD AVE

4TH AVE

5TH AVE

6TH AVE

WEST LINE NW 1/4 SEC. 20

WEST LINE EAST 1/2 SEC. 33

4.81 ROUTE 9 (R. ROUTE 9)

EXHIBIT FOR GROUND WATER ORDINANCE  
FORMER RAILROAD PROPERTY  
CARBON CLIFF, ILLINOIS



301 Lexington Avenue, 14th Floor  
New York, New York 10017-2401  
Tel: 212-677-1000 Fax: 212-677-1001

JOB NO. C02E003

SHEET 1 OF 1

EXHIBIT A-1  
FOR GROUND WATER ORDINANCE  
FORMER RAILROAD PROPERTY  
CARBON CLIFF, ILLINOIS

PART OF A CIRCULAR PARCEL OF GROUND SPACE, SAID CIRCLE HAVING A RADIUS OF 396.00 FEET AND A DIAMETER OF 792.00 FEET, WITH THE LOCATION OF THE CENTER OF SAID CIRCLE DESCRIBED AS FOLLOWS:

PART OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 1 EAST OF THE 4<sup>TH</sup> P.M., LOCATED IN THE CITY OF CARBON CLIFF COUNTY OF ROCK ISLAND, STATE OF ILLINOIS.

COMMENCING AT A POINT OF REFERENCE, SAID POINT BEING THE NORTHWEST CORNER OF SAID SECTION 33;

THENCE SOUTH 04° 13' 29" EAST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION, A DISTANCE OF 1,055.77 FEET;

THENCE SOUTH 85° 46' 31" WEST A DISTANCE OF 57.66 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTES 5 AND 2 AND 92, ALSO FORMERLY KNOWN AS SBI ROUTE 3;

THENCE ALONG SAID FORMER RIGHT-OF-WAY OF SBI ROUTE 3 SOUTH 04° 12' 42" EAST, A DISTANCE OF 286.99 FEET;

THENCE CONTINUING ALONG SAID FORMER RIGHT-OF-WAY SOUTH 05° 23' 58" WEST A DISTANCE OF 101.40 FEET;

THENCE CONTINUING ALONG SAID FORMER RIGHT-OF-WAY SOUTH 04° 15' 02" EAST A DISTANCE OF 15.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF ILLINOIS ROUTES 5 AND 2 AND 92;

THENCE ALONG SAID RIGHT-OF-WAY NORTH 38° 42' 15" EAST A DISTANCE OF 438.74 FEET;

THENCE SOUTH 04° 13' 29" EAST A DISTANCE OF 195.20 FEET;

THENCE SOUTH 89° 38' 35" EAST A DISTANCE OF 129.30 FEET;

THENCE NORTH 03° 07' 22" EAST A DISTANCE OF 163.17 FEET;

THENCE SOUTH 88° 36' 04" EAST A DISTANCE OF 80.01 FEET;

THENCE NORTH 03° 08' 05" EAST A DISTANCE OF 160.02 FEET;

THENCE SOUTH 88° 36' 04" EAST A DISTANCE OF 80.01 FEET;

THENCE NORTH 03° 10' 11" EAST A DISTANCE OF 160.01 FEET;

THENCE SOUTH 88° 36' 04" EAST A DISTANCE OF 40.00 FEET;

THENCE NORTH 03° 07' 37" EAST A DISTANCE OF 169.94 FEET;

THENCE NORTH 88° 36' 04" WEST A DISTANCE OF 247.98 FEET TO A POINT ON THE  
EASTERLY RIGHT-OF-WAY OF ILLINOIS 5 AND 2 AND 92;

THENCE ALONG SAID RIGHT-OF-WAY NORTH 23° 17' 05" EAST A DISTANCE OF 573.11  
FEET;

THENCE NORTH 54° 56' 22" EAST A DISTANCE OF 96.13 FEET TO A POINT ON THE  
SOUTHERLY RIGHT-OF-WAY OF BARSTOW ROAD;

THENCE ALONG SAID RIGHT-OF-WAY SOUTH 86° 56' 41" EAST A DISTANCE OF 105.50  
FEET;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY NORTH 03° 01' 44" EAST A DISTANCE  
OF 4.97 FEET;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY SOUTH 86° 56' 41" EAST A DISTANCE  
OF 423.82 FEET;

THENCE SOUTH 04° 32' 40" EAST A DISTANCE OF 582.07 FEET;

THENCE SOUTH 88° 36' 04" EAST A DISTANCE OF 105.57 FEET;

THENCE NORTH 04° 32' 40" WEST A DISTANCE OF 578.97 FEET TO A POINT ON THE  
SOUTHERLY RIGHT-OF-WAY OF BARSTOW ROAD;

THENCE ALONG SAID RIGHT-OF-WAY SOUTH 86° 55' 49" EAST A DISTANCE OF 644.27  
FEET;

THENCE SOUTH 03° 08' 00" WEST A DISTANCE OF 283.87 FEET;

THENCE NORTH 86° 55' 49" WEST A DISTANCE OF 70.00 FEET;

THENCE SOUTH 03° 08' 00" WEST A DISTANCE OF 159.12 FEET;

THENCE SOUTH 86° 55' 49" EAST A DISTANCE OF 70.00 FEET;

THENCE SOUTH 03° 08' 00" WEST A DISTANCE OF 636.48 FEET;

THENCE NORTH 86° 55' 49" WEST A DISTANCE OF 30.00 FEET;

THENCE SOUTH 03° 08' 00" WEST A DISTANCE OF 104.66 FEET;

THENCE SOUTH 89° 47' 51" EAST A DISTANCE OF 848.38 FEET TO A POINT ON THE WEST  
LINE OF THE EAST HALF OF SECTION 33;

THENCE ALONG SAID WEST LINE SOUTH 04° 13' 01" EAST A DISTANCE OF 1,435.57 FEET  
TO A POINT ON THE FLACK AND BEAN INDIAN BOUNDARY LINE;

THENCE ALONG SAID LINE SOUTH 83° 23' 38" WEST A DISTANCE OF 529.64 FEET;

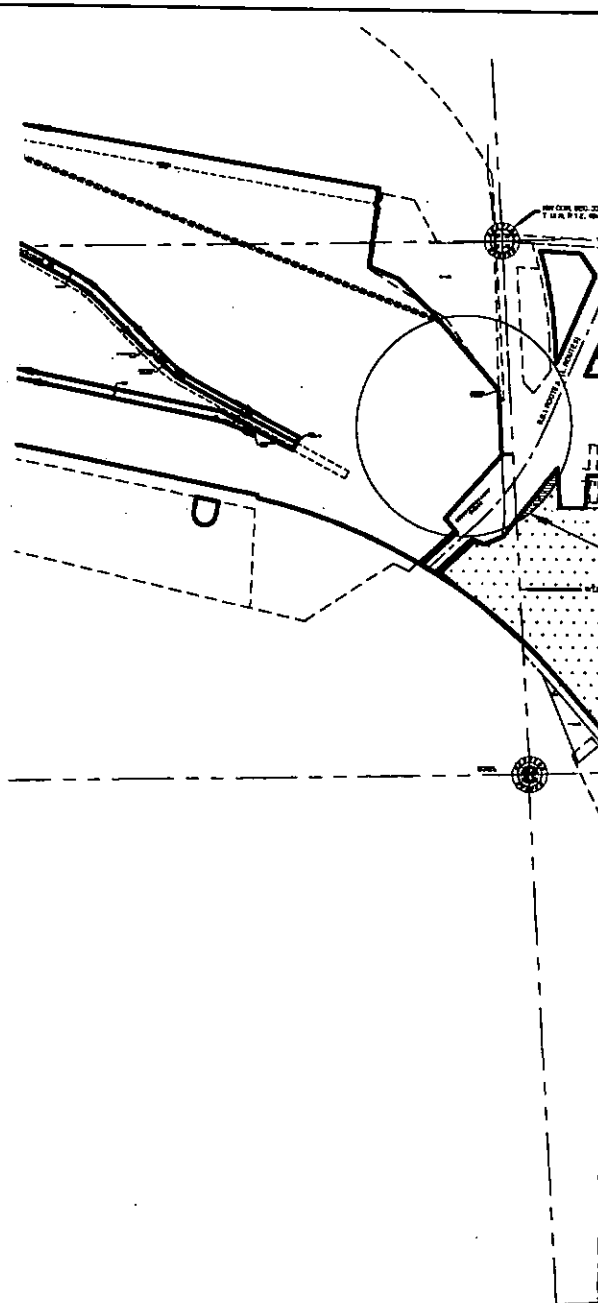
THENCE SOUTH 34° 58' 13" EAST A DISTANCE OF 439.43 FEET;

THENCE SOUTH 17° 10' 54" EAST A DISTANCE OF 46.84 FEET;

THENCE SOUTH 72° 49' 06" WEST A DISTANCE OF 221.98 FEET TO THE CENTER OF SAID  
396.00 FOOT RADIUS CIRCLE;

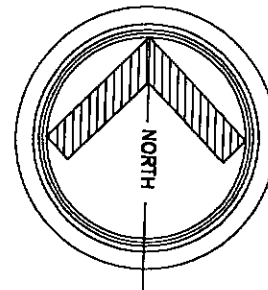
THE ABOVE DESCRIBED PARCEL EXCLUDING THAT AREA WITHIN TRACT II GROUND  
WATER ORDINANCE CONTAINS 2.19 ACRES, MORE OR LESS.





## EXHIBIT B

ed by the Village of Carbon Cliff Groundwater Ordinance  
described in the Tract II legal description



1000 0 1000 2000

SCALE 1" = 1000'

EXHIBIT FOR GROUND WATER ORDINANCE  
FORMER RAILROAD PROPERTY  
CARBON CLIFF, ILLINOIS

**Missman**  
STANLEY & ASSOCIATES, P.C.

Civil Engineering • Surveying • Environmental Services  
Rock Island, Illinois • Rockford, Illinois • Bettendorf, Iowa • Des Moines, Iowa  
(309) 788-7644 FAX (309) 788-7691

JOB NO. C02E003

SHEET 1 OF 1

EXHIBIT B  
FOR GROUND WATER ORDINANCE  
FORMER RAILROAD PROPERTY  
CARBON CLIFF, ILLINOIS

TRACT II

PART OF SECTIONS 32 AND 33, TOWNSHIP 18 NORTH, RANGE 1 EAST OF THE 4<sup>TH</sup> P.M.,  
LOCATED IN THE CITY OF SILVIS AND PARTS OF SECTIONS 3 AND 4, TOWNSHIP 17  
NORTH, RANGE 1 EAST OF THE 4<sup>TH</sup> P.M., LOCATED IN THE VILLAGE OF CARBON CLIFF,  
ALL AS SITUATED IN THE COUNTY OF ROCK ISLAND, STATE OF ILLINOIS, MORE  
PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT A POINT OF REFERENCE, SAID POINT BEING THE NORTHEAST  
CORNER OF SAID SECTION 32;

THENCE SOUTH 04° 13' 29" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER  
OF SAID SECTION, A DISTANCE OF 1,055.77 FEET;

THENCE SOUTH 85° 46' 31" WEST A DISTANCE OF 57.66 FEET TO A POINT ON THE  
WESTERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTES 5 AND 2 AND 92, ALSO  
FORMERLY KNOWN AS SBI ROUTE 3, SAID POINT IS ALSO THE POINT OF BEGINNING  
FOR THIS DESCRIPTION;

THENCE ALONG SAID FORMER RIGHT-OF-WAY OF SBI ROUTE 3 SOUTH 04° 12' 42" EAST,  
A DISTANCE OF 286.99 FEET;

THENCE CONTINUING ALONG SAID FORMER RIGHT-OF-WAY SOUTH 05° 23' 58" WEST A  
DISTANCE OF 101.40 FEET;

THENCE CONTINUING ALONG SAID FORMER RIGHT-OF-WAY SOUTH 04° 15' 02" EAST A  
DISTANCE OF 15.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF ILLINOIS  
ROUTES 5 AND 2 AND 92;

THENCE ALONG SAID RIGHT-OF-WAY NORTH 38° 42' 15" EAST A DISTANCE OF 438.74  
FEET;

THENCE SOUTH 04° 13' 29" EAST A DISTANCE OF 195.20 FEET;

THENCE SOUTH 89° 38' 35" EAST A DISTANCE OF 129.30 FEET;

THENCE NORTH 03° 07' 22" EAST A DISTANCE OF 163.17 FEET;

THENCE SOUTH 88° 36' 04" EAST A DISTANCE OF 80.01 FEET;

THENCE NORTH 03° 08' 05" EAST A DISTANCE OF 160.02 FEET;

THENCE SOUTH 88° 36' 04" EAST A DISTANCE OF 80.01 FEET;

THENCE NORTH 03° 10' 11" EAST A DISTANCE OF 160.01 FEET;

THENCE SOUTH 88° 36' 04" EAST A DISTANCE OF 40.00 FEET;

THENCE NORTH  $03^{\circ} 07' 37''$  EAST A DISTANCE OF 169.94 FEET;

THENCE NORTH  $88^{\circ} 36' 04''$  WEST A DISTANCE OF 247.98 FEET TO A POINT ON THE  
EASTERLY RIGHT-OF-WAY OF ILLINOIS 5 AND 2 AND 92;

THENCE ALONG SAID RIGHT-OF-WAY NORTH  $23^{\circ} 17' 05''$  EAST A DISTANCE OF 573.11  
FEET;

THENCE NORTH  $54^{\circ} 56' 22''$  EAST A DISTANCE OF 96.13 FEET TO A POINT ON THE  
SOUTHERLY RIGHT-OF-WAY OF BARSTOW ROAD;

THENCE ALONG SAID RIGHT-OF-WAY SOUTH  $86^{\circ} 56' 41''$  EAST A DISTANCE OF 105.50  
FEET;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY NORTH  $03^{\circ} 01' 44''$  EAST A  
DISTANCE OF 4.97 FEET;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY SOUTH  $86^{\circ} 56' 41''$  EAST A DISTANCE  
OF 423.82 FEET;

THENCE SOUTH  $04^{\circ} 32' 40''$  EAST A DISTANCE OF 582.07 FEET;

THENCE SOUTH  $88^{\circ} 36' 04''$  EAST A DISTANCE OF 105.57 FEET;

THENCE NORTH  $04^{\circ} 32' 40''$  WEST A DISTANCE OF 578.97 FEET TO A POINT ON THE  
SOUTHERLY RIGHT-OF-WAY OF BARSTOW ROAD;

THENCE ALONG SAID RIGHT-OF-WAY SOUTH  $86^{\circ} 55' 49''$  EAST A DISTANCE OF 644.27 FEET;

THENCE SOUTH  $03^{\circ} 08' 00''$  WEST A DISTANCE OF 283.87 FEET;

THENCE NORTH  $86^{\circ} 55' 49''$  WEST A DISTANCE OF 70.00 FEET;

THENCE SOUTH  $03^{\circ} 08' 00''$  WEST A DISTANCE OF 159.12 FEET;

THENCE SOUTH  $86^{\circ} 55' 49''$  EAST A DISTANCE OF 70.00 FEET;

THENCE SOUTH  $03^{\circ} 08' 00''$  WEST A DISTANCE OF 636.48 FEET;

THENCE NORTH  $86^{\circ} 55' 49''$  WEST A DISTANCE OF 30.00 FEET;

THENCE SOUTH  $03^{\circ} 08' 00''$  WEST A DISTANCE OF 104.66 FEET;

THENCE SOUTH  $89^{\circ} 47' 51''$  EAST A DISTANCE OF 848.38 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF SECTION 33;

THENCE ALONG SAID WEST LINE SOUTH  $04^{\circ} 13' 01''$  EAST A DISTANCE OF 1,435.57 FEET TO A POINT ON THE FLACK AND BEAN INDIAN BOUNDARY LINE;

THENCE ALONG SAID LINE SOUTH  $83^{\circ} 23' 38''$  WEST A DISTANCE OF 529.64 FEET;

THENCE SOUTH 34° 58' 13" EAST A DISTANCE OF 439.43 FEET;

THENCE SOUTH 17° 10' 54" EAST A DISTANCE OF 801.72 FEET;

THENCE SOUTH 46° 43' 57" EAST A DISTANCE OF 645.79 FEET;

THENCE NORTH 72° 23' 25" EAST A DISTANCE OF 247.21 FEET TO A POINT ON THE  
WESTERLY RIGHT-OF-WAY OF A PUBLIC ROAD;

THENCE ALONG SAID RIGHT-OF-WAY SOUTH 22° 55' 08" WEST A DISTANCE OF 102.74  
FEET;

THENCE SOUTH 70° 06' 00" WEST A DISTANCE OF 433.89 FEET;

THENCE SOUTH 34° 11' 21" EAST A DISTANCE OF 377.63 FEET TO A POINT ON THE  
WESTERLY RIGHT-OF-WAY OF SAID PUBLIC ROAD;

THENCE SOUTH 66° 01' 03" EAST A DISTANCE OF 44.77 FEET TO A POINT ON THE  
EASTERLY RIGHT-OF-WAY OF SAID PUBLIC ROAD AND THE WESTERLY LINE OF  
WIERSHING'S FIRST ADDITION TO CARBON CLIFF;

THENCE ALONG SAID RIGHT-OF-WAY NORTH 23° 03' 12" EAST A DISTANCE OF 267.00  
FEET TO THE NORTHWEST CORNER OF LOT 2 IN SAID WIERSHING'S FIRST ADDITION TO  
CARBON CLIFF;

THENCE ALONG THE NORTHERLY LINE OF SAID LOT 2 SOUTH  $73^{\circ} 27' 47''$  EAST A  
DISTANCE OF 153.04 FEET;

THENCE ALONG THE EASTERLY LINE OF SAID WIERSHING'S FIRST ADDITION SOUTH  
 $04^{\circ} 59' 03''$  EAST A DISTANCE OF 423.22 FEET TO A POINT ON THE NORTH LINE OF THE  
NORTHEAST QUARTER OF SAID SECTION 4, SAID POINT BEING 582.20 FEET EAST OF THE  
NORTH QUARTER CORNER OF SAID SECTION 4;

THENCE ALONG SAID NORTH LINE SOUTH  $87^{\circ} 33' 11''$  WEST A DISTANCE OF 82.92 FEET;

THENCE SOUTH  $40^{\circ} 48' 41''$  EAST A DISTANCE OF 111.14 FEET;

THENCE ALONG THE ARC OF A 5,250.08 FOOT RADIUS CURVE, CONCAVE  
NORTHEASTERLY, A DISTANCE OF 3,113.70 FEET, SAID CURVE HAVING A CHORD  
BEARING OF SOUTH  $49^{\circ} 52' 54''$  EAST AND A DISTANCE OF 3,068.28 FEET; THE ABOVE  
DESCRIBED LINE IS ALSO 479.50 FEET NORTHEASTERLY OF THE FORMER CENTER LINE  
OF THE C.R.I. & P WESTBOUND/NORTH MAIN TRACK, AS MEASURED NORMALLY TO  
SAID CENTERLINE;

THENCE SOUTH  $67^{\circ} 06' 44''$  EAST A DISTANCE OF 1092.27 FEET TO A POINT ON THE  
SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 3;

THENCE ALONG SAID LINE NORTH  $87^{\circ} 57' 07''$  EAST A DISTANCE OF 399.16 FEET TO A  
POINT ON THE WEST BANK OF THE ROCK RIVER;

THENCE ALONG SAID WEST BANK SOUTH 14° 15' 18" WEST A DISTANCE OF 614.76 FEET TO A POINT ON THE NORTHERLY LINE OF HEARTLAND RAIL CORPORATION, SAID POINT BEING 40.00 FEET NORTH OF AND NORMALLY DISTANT FROM THE FORMER CENTERLINE OF THE C.R.I. & P WESTBOUND/NORTH MAIN TRACK;

THENCE ALONG THE NORTHERLY LINE OF HEARTLAND RAIL CORPORATION NORTH 67° 06' 41" WEST A DISTANCE OF 545.41 FEET;

THENCE CONTINUING ALONG SAID LINE NORTH 67° 06' 44" WEST A DISTANCE OF 1,002.93 FEET;

THENCE CONTINUING ALONG SAID LINE AND ALONG THE ARC OF A 5,689.58 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, A DISTANCE OF 2,615.25 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 53° 42' 14" WEST AND A DISTANCE OF 2,592.30 FEET;

THENCE SOUTH 49° 27' 36" WEST A DISTANCE OF 25.00 FEET TO A POINT 15.00 FEET NORTHERLY OF AND NORMALLY DISTANT TO THE FORMER CENTERLINE OF THE C.R.I. & P WESTBOUND/NORTH MAIN TRACK;

THENCE ALONG SAID LINE NORTH 40° 48' 41" WEST A DISTANCE OF 4,845.68 FEET;

THENCE CONTINUING ALONG SAID LINE AND ALONG THE ARC OF A 8,949.43 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY A DISTANCE OF 442.62 FEET; SAID CURVE



HAVING A CHORD BEARING OF NORTH 42° 09' 02" WEST AND A DISTANCE OF 442.60 FEET;

THENCE CONTINUING ALONG SAID LINE AND ALONG THE ARC OF A 2,886.39 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, A DISTANCE OF 783.21 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 53° 15' 12" WEST AND A DISTANCE OF 780.77 FEET;

THENCE ALONG THE WESTERLY LINE OF A PERMANENT EASEMENT CONVEYED BY GRANT TO THE STATE OF ILLINOIS, FOR ROADWAY PURPOSES, NORTH 47° 19' 41" EAST A DISTANCE OF 244.15 FEET;

THENCE CONTINUING ALONG SAID EASEMENT LINE NORTH 40° 53' 38" WEST A DISTANCE OF 73.08 FEET;

THENCE CONTINUING ALONG SAID EASEMENT LINE NORTH 41° 44' 34" EAST A DISTANCE OF 420.51 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED REAL ESTATE CONTAINS 238.42 ACRES, SAID AREA INCLUDES THE EXCEPTION OF AN 80 FOOT WIDE RIGHT-OF-WAY PREVIOUSLY DEDICATED TO THE VILLAGE OF CARBON CLIFF FOR A PUBLIC ROAD.

FOR THE PURPOSE OF THIS DESCRIPTION THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 32 IS ASSUMED TO HAVE A BEARING OF SOUTH 04° 13' 29" EAST.

EXHIBIT B, CONTINUED  
TRACT II  
EXCEPTION

THE FOLLOWING DESCRIBED PARCEL WAS PREVIOUSLY DEDICATED FOR  
ROADWAY PURPOSES FOR THE VILLAGE OF CARBON CLIFF.

PART OF SECTION 4 TOWNSHIP 17 NORTH, RANGE 1 EAST AND SECTION 33 OF  
TOWNSHIP 18 NORTH, RANGE 1 EAST OF THE 4<sup>TH</sup> P.M. LOCATED IN THE VILLAGE  
OF CARBON CLIFF, COUNTY OF ROCK ISLAND, STATE OF ILLINOIS, MORE  
PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A POINT OF REFERENCE, SAID POINT BEING THE NORTHWEST  
CORNER OF THE NORTHEAST QUARTER OF SECTION 4;

THENCE ALONG THE NORTH LINE OF SAID QUARTER NORTH 87° 37' 09" EAST A  
DISTANCE OF 193.50 FEET TO A POINT OF INTERSECTION OF THE EASTERLY  
RIGHT-OF-WAY LINE OF A PUBLIC ROAD AS EXTENDED SOUTHERLY;

THENCE ALONG SAID LINE NORTH 23° 03' 12" EAST A DISTANCE OF 256.20 FEET  
TO A POINT ON THE EASTERLY BOUNDARY LINE OF THE PREVIOUSLY  
DESCRIBED TRACT II, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 66° 01' 03" EAST A DISTANCE OF 17.52 FEET;

THENCE SOUTH 23° 03' 12" WEST A DISTANCE OF 114.52 FEET;

THENCE ALONG THE ARC OF A 221.00 FOOT RADIUS CURVE, CONCAVE  
EASTERLY, A DISTANCE OF 98.20 FEET, SAID CURVE HAVING A CHORD BEARING  
OF SOUTH 10° 19' 28" WEST AND A DISTANCE OF 97.39 FEET;

THENCE SOUTH 02° 24' 17" EAST A DISTANCE OF 255.39 FEET;

THENCE ALONG THE ARC OF A 301.00 FOOT RADIUS CURVE, CONCAVE  
NORTHWESTERLY, A DISTANCE OF 209.90 FEET; SAID CURVE HAVING A CHORD  
BEARING OF SOUTH 17° 34' 22" WEST AND A DISTANCE OF 205.67 FEET TO A  
POINT ON THE EASTERLY LINE OF HEARTLAND RAIL CORPORATION; SAID LINE  
BEING 15.00 FEET NORTHEASTERLY OF AND PARALLEL WITH THE FORMER  
CENTERLINE OF THE C.R.I&P. WESTBOUND/NORTH MAIN TRACK;

THENCE ALONG SAID LINE NORTH 40° 48' 41" WEST A DISTANCE OF 82.32 FEET;  
THENCE ALONG THE ARC OF A 221.00 FOOT RADIUS CURVE, CONCAVE  
NORTHWESTERLY, A DISTANCE OF 137.49 FEET, SAID CURVE HAVING A CHORD  
BEARING OF NORTH 15° 25' 06" EAST AND A DISTANCE OF 135.29 FEET;

THENCE NORTH 02° 24' 17" WEST A DISTANCE OF 255.39 FEET;

THENCE ALONG THE ARC OF A 301.00 FOOT RADIUS CURVE, CONCAVE  
EASTERLY, A DISTANCE OF 133.74 FEET, SAID CURVE HAVING A CHORD  
BEARING OF NORTH 10° 19' 28" EAST AND A DISTANCE OF 132.64 FEET;  
THENCE NORTH 23° 03' 12" EAST A DISTANCE OF 115.82 FEET;

THENCE SOUTH 66° 01' 03" EAST A DISTANCE OF 62.50 FEET TO THE POINT OF  
BEGINNING.

THE ABOVE DESCRIBED RIGHT-OF-WAY CONTAINS 1.2126 ACRES, MORE OR  
LESS.

FOR THE PURPOSE OF THIS DESCRIPTION THE NORTH LINE OF THE NORTHEAST  
QUARTER OF SECTION 4 IS ASSUMED TO HAVE A BEARING OF NORTH 87° 37' 09"  
EAST.

**GROUNDWATER  
ORDINANCE  
(East Moline)**

**Municipality: East Moline**

**County: Rock Island**

**LPC Number:**

**OC: 99082701**

AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD, BY THE ADDITION OF SECTION 4-3-7 ENTITLED "PROHIBITION OF WELLS FOR POTABLE WATER SUPPLY", OF CHAPTER 3 ENTITLED "PLUMBING" OF TITLE 4, ENTITLED "BUILDING REGULATIONS" OF THE CITY CODE OF EAST MOLINE, ILLINOIS.

---

WHEREAS, certain properties in the City of East Moline, Illinois have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater under the City may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier 1 residential remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the City of East Moline desires to facilitate the redevelopment and productive use of properties that are the source of said chemical constituents while limiting potential threats to human health from groundwater contamination;

NOW, THEREFORE, Be It Ordained by the City Council of the City of East Moline, Illinois:

Paragraph One. Use of groundwater as a potable water supply prohibited.

The use or attempt to use as a potable water supply groundwater from within the corporate limits of the City of East Moline by the installation or drilling wells or by any other method is hereby prohibited, including at points of withdrawal by the City of East Moline.

Paragraph Two. Penalties.

Any person violating the provisions of this ordinance shall be subject to a fine of up to \$500 for each violation.

Paragraph Three. Definitions.

"Person" is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust,

estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.

"Potable water" is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, washing dishes, preparing foods, watering lawns, or watering gardens in which produce intended for human consumption is grown.

Paragraph Four. Sump Pump Discharge Excepted.

The prohibition as set forth above in Paragraph 3 shall not prohibit the discharge of water from a sump pump upon lawns or gardens.

Paragraph Five. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance.

Paragraph Six. Severability.

If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

Paragraph Seven. Effective date.

This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF EAST MOLINE,  
ILLINOIS this 1st day of March, A.D. 1999, and APPROVED BY  
THE MAYOR OF SAID CITY this 1st day of March, A.D. 1999.

ATTEST:

*Maria S. Deys*  
City Clerk of the City  
of East Moline, Illinois

nam\ORDINANC\PotWater.Ord



*Crotis Teague*  
Mayor of the City of  
East Moline, Illinois  
Signed by: Crotis Teague  
Mayor Pro Tem

hereby certify that the foregoing is a true  
and correct copy of an ordinance passed  
by the City Council at a meeting held on  
the 1st day of March, A.D. 1999.

*Maria S. Deys*  
CITY CLERK OF THE CITY OF EAST MOLINE



**CERTIFICATION**

**I, Arletta D. Holmes City Clerk of the City of East Moline, Illinois, do hereby certify that Ordinance No. 99-9 of the City Council of the City of East Moline, Illinois, passed by the City Council of the City of East Moline on March 1, 1999, and approved by the Mayor of said City on March 1, 1999, concerning Groundwater or Water wells of the City, is applicable everywhere within the corporate limits of the City of East Moline, Illinois.**

**Dated:** June 18, 2002

Arletta D. Holmes  
**Arletta D. Holmes  
City Clerk of the City of  
East Moline, Illinois**

**(City Seal)**



C E R T I F I C A T I O N

I, Bobbi Sue Huntoon, City Clerk of the City of East Moline, Illinois, do hereby certify that Ordinance No. 99-9 of the City Council of the City of East Moline, Illinois, passed by the City Council of the City of East Moline on March 1, 1999, and approved by the Mayor of said City on March 1, 1999, concerning groundwater or water well of the City, is applicable everywhere within the corporate limits of the City of East Moline, Illinois.

Dated: August 6, 1999

Bobbi Sue Huntoon  
Bobbi Sue Huntoon  
City Clerk of the City of  
East Moline, Illinois

(City Seal)



RELEASABLE

MAR 29 2000

REVIEWER MD

**GROUNDWATER  
ORDINANCE  
(Silvis)**



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

BRUCE RAUNER, GOVERNOR

LISA BONNETT, DIRECTOR

## MEMORANDUM

**DATE:** October 28, 2015

**TO:** Kyle Rominger, Division of Legal Counsel

**FROM:** Joyce Munie, Remedial Project Management Section

**BY:** Greg Dunn, SRP Unit Manager  
Todd Gross, Project Manager

**RE:** LPC # 1610700009-Rock Island County  
Silvis/Chrome Locomotive  
Site Remediation/Technical Reports

Attached is City of Silvis Limited Groundwater Ordinance 2015-49 and Memorandum of Agreement (MOU), and groundwater ordinance map for use at the above referenced site. Ordinance No. 2013-01-A, for the City of Silvis was previously disapproved for use as a groundwater ordinance to amend existing Ordinance No. 2010-27 and Ordinance No. 2011-12-A. The owner or operator of the above-referenced site located within the legal boundaries of this ordinance has submitted the draft ordinance to the Illinois EPA for approval of its use as an institutional control. Comments have been incorporated into the above Ordinance and MOU. All additional requirements at 35 Ill. Adm. Code 742.1015(a) have been satisfied. Upon approval the Remedial Applicant will seek a focused No Further Remediation Letter.

The RPMS Section requests that your staff review the attached ordinance to determine if it meets the requirements necessary to be considered an appropriate institutional control under 35 Ill. Adm. Code 742. Please return your decision to Todd Gross at mail code #24.

TG:

Attachment: City of Silvis Ordinance 2015-49  
City of Silvis MOU  
Limited Groundwater Ordinance Site Map

cc: BOL File w/ attachment

EPA - DIVISION OF RECORDS MANAGEMENT  
RELEASABLE

NOV 03 2015

REVIEWER JRM



Office of Jim Nelson, CMC  
City Clerk

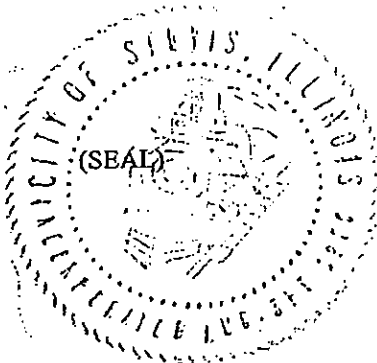
CITY OF SILVIS )  
COUNTY OF ROCK ISLAND ) SS  
STATE OF ILLINOIS )


I, Jim Nelson, City Clerk of the City of Silvis, in the County of Rock Island, State of Illinois, and as such the keeper of the records and files thereof, do hereby certify that the foregoing Ordinance entitled:

***2015-49-- an ordinance prohibiting the use of  
groundwater as a potable water supply by the  
installation or use of potable water supply wells or  
by any other method***

is a true and correct copy of an ordinance adopted by the City Council of the City of Silvis, Illinois, and APPROVED by the Mayor and Aldermen of the City of Silvis, is duly recorded in the Ordinance Records of the City of Silvis.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on  
this 29<sup>nd</sup> day of September, A.D., 2015.



  
Jim Nelson, CMC  
City Clerk

City of Silvis, Illinois

ORDINANCE NUMBER 2015-49

AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

WHEREAS, certain properties in the City of Silvis, Illinois have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the City may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier I remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the City of Silvis desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents near the real property located at 300 Ninth Street North.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SILVIS, ILLINOIS:

Section One. Use of groundwater as a potable water supply prohibited.

The use or attempt to use as a potable water supply groundwater from the defined limits within the City of Silvis, as a potable water supply, by the installation or drilling of wells or by any other method is hereby prohibited. This prohibition expressly includes the area defined on Exhibit A.

Section Two. Penalties.

Any person violating the provisions of this ordinance shall be subject to a fine of up to \$750.00 (seven hundred fifty dollars) for each violation.

Section Three. Definitions.

"Person" is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.

"Potable water" is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

Section Four. Memorandum of Understanding.

The Mayor of the City of Silvis is hereby authorized and directed to enter into a Memorandum of Understanding with the Illinois Environmental Protection Agency (Illinois EPA) in which the City of Silvis assumes responsibility for tracking all sites that have received no further remediation determinations from the Illinois EPA, notifying the Illinois EPA of changes to this ordinance, and taking certain precautions when siting public potable water supply wells.

Section Five. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance.

Section Six. Severability.

If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

Section Seven. Effective date.

This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

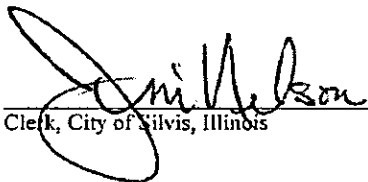
PASSED BY THE CITY COUNCIL OF SILVIS, ILLINOIS, this 15 day of September, 2015

Ayes 6

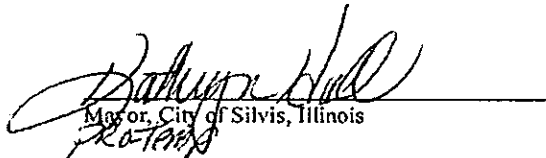
Nays: 0


Absent: 2

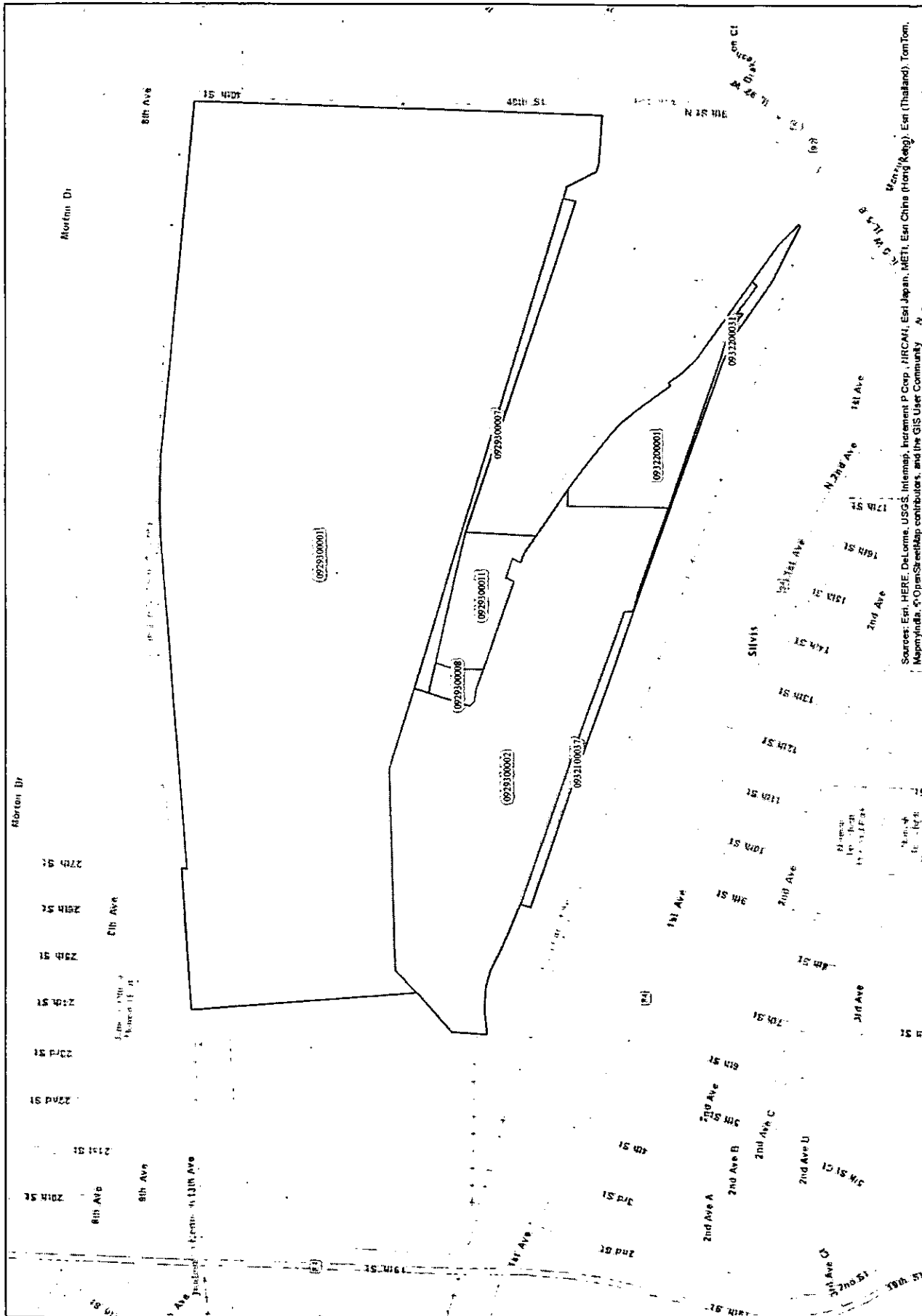
Attest:

  
Clerk, City of Silvis, Illinois

Approved:

  
Mayor, City of Silvis, Illinois  
*Pro-Temp*

		SCALE 1" = 600' JOB NUMBER 2009-3182.22 DATE 06/2015 DRAWN BY LAP CHECKED BY EPO EXHIBIT A
---	--	---





MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SILVIS AND THE  
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY REGARDING THE USE OF  
LOCAL GROUNDWATER OR WATER WELL ORDINANCE AS AN  
ENVIRONMENTAL INSTITUTIONAL CONTROL.

I. PURPOSE AND INTENT

- A. This Memorandum of Understanding ("MOU") between the City of Silvis and the Illinois Environmental Protection Agency (Illinois EPA) is entered into for the purpose of satisfying the requirements of 35 Ill. Adm. Code 742.1015 for the use of groundwater or water well ordinances as environmental institutional controls. The Illinois EPA has reviewed the groundwater or water well ordinance of the City of Silvis (Attachment A) and determined that the ordinance prohibits the use of groundwater for potable purposes and/or the installation and use of new potable water supply wells by private entities but does not expressly prohibit those activities by the unit of local government itself. In such cases, 35 Ill. Adm. Code 742.1015(a) provides that the unit of local government may enter into an MOU with the Illinois EPA to allow the use of the ordinance as an institutional control.
- B. The intent of this Memorandum of Understanding is to specify the responsibilities that must be assumed by the unit of local government to satisfy the requirements for MOUs as set forth at 35 Ill. Adm. Code 742.1015(i).

II. DECLARATIONS AND ASSUMPTION OF RESPONSIBILITY

In order to ensure the long-term integrity of the groundwater or water well ordinance as an environmental institutional control and that risk to human health and the environment from contamination left in place in reliance on the groundwater or water well ordinance is effectively managed, the City of Silvis hereby assumes the following responsibilities pursuant to 35 Ill. Adm. Code 742.1015(d)(2) and (i):

- A. The City of Silvis will notify the Illinois EPA Bureau of Land of any proposed ordinance changes or requests for variance at least 30 days prior to the date the local government is scheduled to take action on the proposed change or request (35 Ill. Adm. Code 742.1015(i)(4));
- B. The City of Silvis will maintain a registry of all sites within its corporate limits that have received "No Further Remediation" determinations in reliance on the ordinance from the Illinois EPA (35 Ill. Adm. Code 742.1015(i)(5));
- C. The City of Silvis will review the registry of sites established under paragraph II. B. prior to siting public potable water supply wells within the area covered by the ordinance (35 Ill. Adm. Code 742.1015(i)(6)(A));
- D. The City of Silvis will determine whether the potential source of potable water has been or may be affected by contamination left in place at the sites tracked and reviewed under paragraph II. B. and C. (35 Ill. Adm. Code 742.1015(i)(6)(B)); and

- E. The City of Silvis will take action as necessary to ensure that the potential source of potable water is protected from contamination or treated before it is used as a potable water supply (35 Ill. Adm. Code 742.1015(i)(6)(C)).

NOTE: Notification under paragraph II. A. above or other communications concerning this MOU should be directed to:

Manager, Division of Remediation Management  
Bureau of Land  
Illinois Environmental Protection Agency  
P.O. Box 19276  
Springfield, Illinois 62794-9276

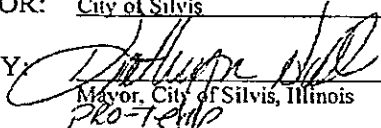
III. SUPPORT DOCUMENTATION

The following documentation is required by 35 Ill. Adm. Code 742.1015(i) and is attached to this MOU:

- A. Attachment A: A copy of the groundwater or water well ordinance certified by the city clerk or other official as the current, controlling law (35 Ill. Adm. Code 742.1015(i)(3));
- B. Attachment B: Identification of the legal boundaries within which the ordinance is applicable (35 Ill. Adm. Code 1015(i)(2)); and
- C. Attachment C: A statement of the authority of the unit of local government to enter into the MOU (35 Ill. Adm. Code 742.1015(i)(1)).

IN WITNESS WHEREOF, the lawful representatives of the parties have caused this MOU to be signed as follows:

FOR: City of Silvis

BY:   
Mayor, City of Silvis, Illinois  
PRO-Temp

DATE: 9/16/15

FOR: Illinois Environmental Protection Agency

BY: \_\_\_\_\_  
Manager, Division of Remediation Management  
Bureau of Land

DATE: \_\_\_\_\_

# **ATTACHMENT A**



Office of Jim Nelson, CMC  
City Clerk

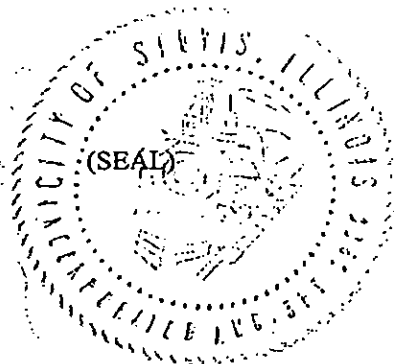
CITY OF SILVIS                     )  
COUNTY OF ROCK ISLAND       )   SS  
STATE OF ILLINOIS               )

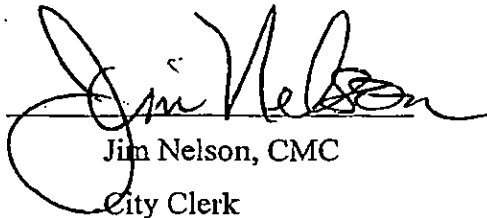
I, Jim Nelson, City Clerk of the City of Silvis, in the County of Rock Island, State of Illinois, and as such the keeper of the records and files thereof, do hereby certify that the foregoing Ordinance entitled:

***2015-49-- an ordinance prohibiting the use of  
groundwater as a potable water supply by the  
installation or use of potable water supply wells or  
by any other method***

is a true and correct copy of an ordinance adopted by the City Council of the City of Silvis, Illinois, and APPROVED by the Mayor and Aldermen of the City of Silvis, is duly recorded in the Ordinance Records of the City of Silvis.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on  
this 29<sup>nd</sup> day of September, A.D., 2015.



  
Jim Nelson, CMC  
City Clerk

City of Silvis, Illinois

ORDINANCE NUMBER 2015-49

AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

WHEREAS, certain properties in the City of Silvis, Illinois have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the City may exceed Class 1 groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier 1 remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the City of Silvis desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents near the real property located at 300 Ninth Street North.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SILVIS, ILLINOIS:

Section One. Use of groundwater as a potable water supply prohibited.

The use or attempt to use as a potable water supply groundwater from the defined limits within the City of Silvis, as a potable water supply, by the installation or drilling of wells or by any other method is hereby prohibited. This prohibition expressly includes the area defined on Exhibit A.

Section Two. Penalties.

Any person violating the provisions of this ordinance shall be subject to a fine of up to \$750.00 (seven hundred fifty dollars) for each violation.

Section Three. Definitions.

"Person" is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.

"Potable water" is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

Section Four. Memorandum of Understanding.

The Mayor of the City of Silvis is hereby authorized and directed to enter into a Memorandum of Understanding with the Illinois Environmental Protection Agency (Illinois EPA) in which the City of Silvis assumes responsibility for tracking all sites that have received no further remediation determinations from the Illinois EPA, notifying the Illinois EPA of changes to this ordinance, and taking certain precautions when siting public potable water supply wells.

Section Five. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance.

Section Six. Severability.

If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

Section Seven. Effective date.

This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

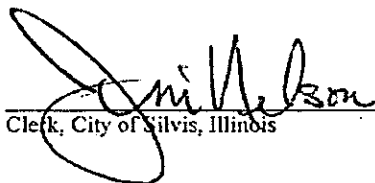
PASSED BY THE CITY COUNCIL OF SILVIS, ILLINOIS, this 15 day of September, 2015

Ayes 6

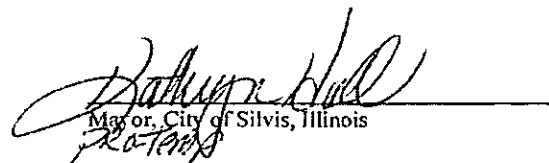
Nays: 0

Absent: 2

Attest:

  
Clerk, City of Silvis, Illinois

Approved:


  
Mayor, City of Silvis, Illinois

**The appearance of some of the images  
following this page is due to**

**Poor Quality Original Documents**

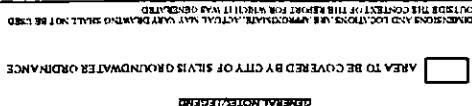
**and not the scanning or filming processes.**

**Com Microfilm Company  
(217) 525-5860**

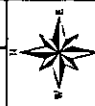
	SCALE	1" = 600'
	JOB NUMBER	2009-3182.22
	DATE	06/20/15
	DRAWN BY	LAP
	CHECKED BY	EPO
EXHIBIT		A



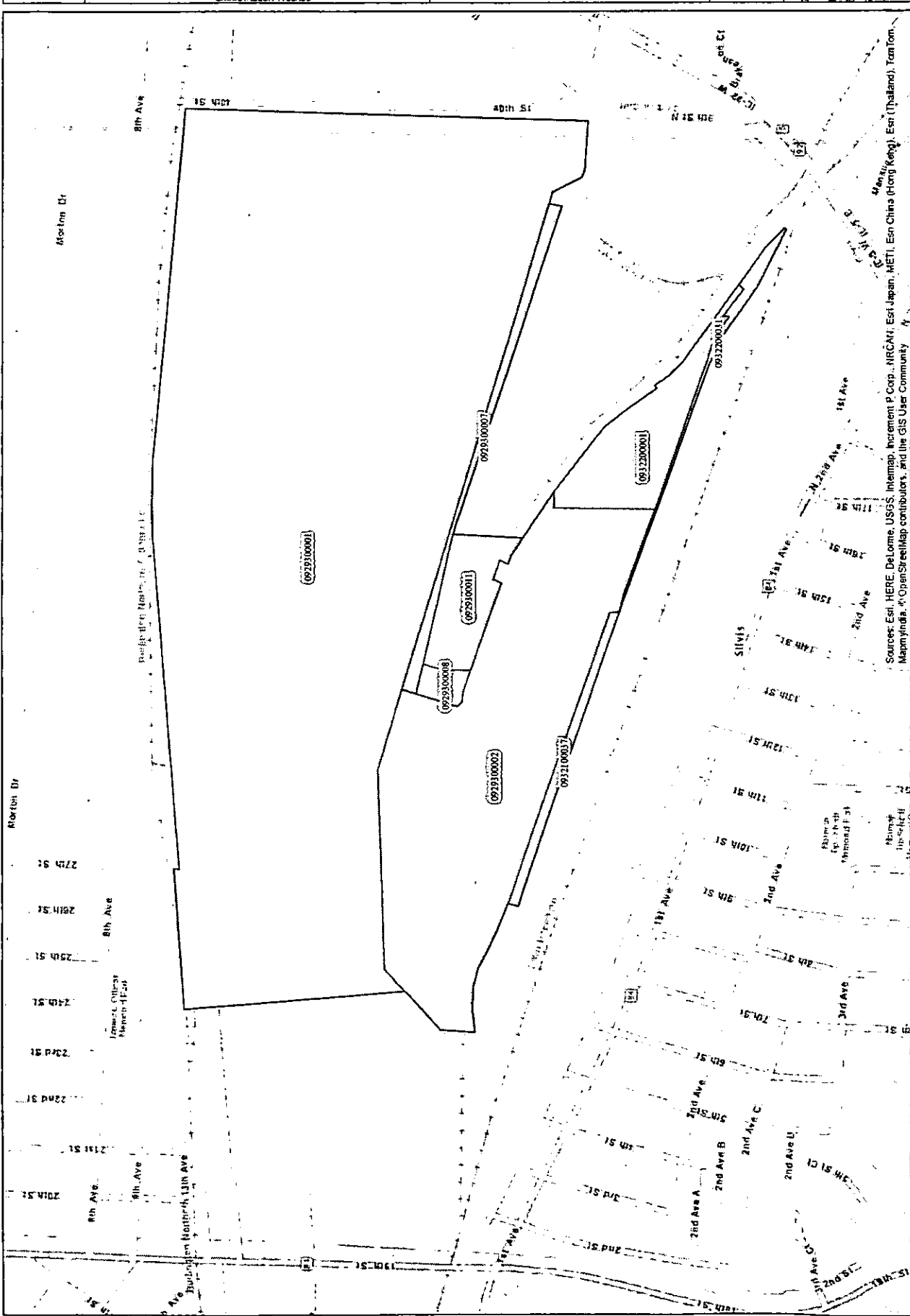
## **ATTACHMENT B**



PROJECT NAME  
NATIONAL RAILWAY EQUIPMENT COMPANY  
SILVIS, ILLINOIS  
PROPERTIES COVERED BY  
GROUNDWATER ORDINANCE



SCALE	1" = 600'
FOOT NUMBER	
DATE	2009-11-22
DRAWN BY	LAP
CHECKED BY	EPG
EXHIBIT	A



## **ATTACHMENT C**



Office of Jim Nelson, CMC  
City Clerk

CITY OF SILVIS                     )  
COUNTY OF ROCK ISLAND       )   SS  
STATE OF ILLINOIS               )

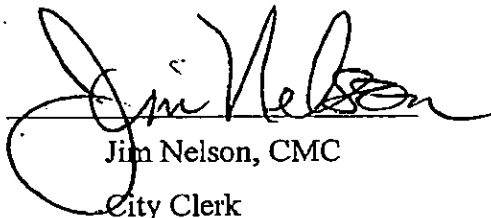
I, Jim Nelson, City Clerk of the City of Silvis, in the County of Rock Island, State of Illinois, and as such the keeper of the records and files thereof, do hereby certify that the foregoing Ordinance entitled:

***2015-49-- an ordinance prohibiting the use of groundwater as a potable water supply by the installation or use of potable water supply wells or by any other method***

is a true and correct copy of an ordinance adopted by the City Council of the City of Silvis, Illinois, and APPROVED by the Mayor and Aldermen of the City of Silvis, is duly recorded in the Ordinance Records of the City of Silvis.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on  
this 29<sup>nd</sup> day of September, A.D., 2015.



  
Jim Nelson, CMC  
City Clerk  
City of Silvis, Illinois

City of Silvis • 121 – 11<sup>th</sup> Street • Silvis IL 61282  
Phone: (309) 792-9181 • [www.silvisil.org](http://www.silvisil.org) • Fax: (309) 792-9726  
Jim Nelson, CMC • City Clerk • [jnelson@silvisil.org](mailto:jnelson@silvisil.org)

ORDINANCE NUMBER 2015-49

AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

WHEREAS, certain properties in the City of Silvis, Illinois have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the City may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier I remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the City of Silvis desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents near the real property located at 300 Ninth Street North.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SILVIS, ILLINOIS:

Section One. Use of groundwater as a potable water supply prohibited.

The use or attempt to use as a potable water supply groundwater from the defined limits within the City of Silvis, as a potable water supply, by the installation or drilling of wells or by any other method is hereby prohibited. This prohibition expressly includes the area defined on Exhibit A.

Section Two. Penalties.

Any person violating the provisions of this ordinance shall be subject to a fine of up to \$750.00 (seven hundred fifty dollars) for each violation.

Section Three. Definitions.

"Person" is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.

"Potable water" is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

Section Four. Memorandum of Understanding.

The Mayor of the City of Silvis is hereby authorized and directed to enter into a Memorandum of Understanding with the Illinois Environmental Protection Agency (Illinois EPA) in which the City of Silvis assumes responsibility for tracking all sites that have received no further remediation determinations from the Illinois EPA, notifying the Illinois EPA of changes to this ordinance, and taking certain precautions when siting public potable water supply wells.

Section Five. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance.

Section Six. Severability.

If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

Section Seven. Effective date.

This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

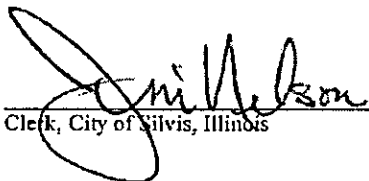
PASSED BY THE CITY COUNCIL OF SILVIS, ILLINOIS, this 15 day of September, 2015

Ayes 6

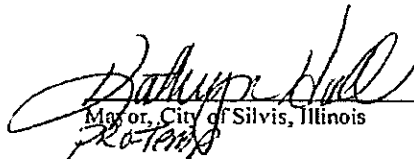
Nays: 0

Absent: 2

Attest:

  
Clerk, City of Silvis, Illinois

Approved:

  
Mayor, City of Silvis, Illinois

